

1485-h9

AN EXACT

Abridgment

Of all the

England. (Laws & Statutes, etc.)

STATUTES

IN

FORCE and USE

From the beginning of

MAGNA CHARTA.

Begun by *Edmund Wingate* of *Grays Inn*, Esq; and since continued under their proper Titles Alphabetically down to the Year 1689.

In this Impression the Statutes which are Expired or Repealed are left out, and an exact Account taken of Statutes Revived, Continued or Altered by any Statute made since the beginning of the Reign of King *William* and Queen *Mary*, with References to such Statutes of Reviver, &c.

With a more complete and exact Table than was before.

L O N D O N,

Printed by Her Ma-^{ty} And by the Assigns of *R. Atkyns* jesties Printers, ^W and *E. Atkyns*, Esqs. 1708.



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AN EXACT
A BRIDGMENT
OF ALL
STATUTES

In Force and Use until the 22th of November,
in the Third Year of King James II.
Ann. Dom. 1687.

Ability, and Non-ability.

Stat.

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Rtuli Cleri, cap. 13. Anno 9 E. 2. The examination of a person presented to a Benefice belongeth to the *Ecclesiastical* Judge.

II. Stat. 25 E. 3. Stat. 2. *De natis ultra*

mare. The Kings Children are inheritable in *England*, where-ever born.

III. Subjects Children (born beyond Sea) are also inheritable; so that their Parents at the time of their Birth were within the Kings Allegiance, and that the Mother went beyond Sea with her Husbands Consent.

IV. If Bastardy be alledged against any born beyond Sea, the Certificate shall be made by the Bishop of the place where the Land demanded lieth.

V. Stat. 42 E. 3. 10. Children born beyond Sea in the Kings Dominions, shall be inheritable in *England*.

VI. Stat. 31 H. 8. 6. Religious persons professed in Corporations seised by the King, shall be enabled to inherit, purchase, sue and to be sued, and also to have and enjoy any matter or thing which shall accrue unto them since that their dereignment, but shall not sue for any former right descended upon them.

VII. Religious persons being Priests, or that have vowed Religion at Twenty one years of age, shall not marry.

VIII. Stat. 33 H. 8. 29. Religious persons professed in Corporations translated from one kind to another, shall be enabled to inherit, purchase, sue and be sued, &c. as well as in those seised by the King.

IX. Stat. 5, 6 E. 6. 13. Religious persons shall be adjudged

Accounts.

inheritable to their Ancestors only from the time of their deraignment, but not by reason of any former right accrued before such deraignment.

X. Stat. 16, 17 Car. 1. 17. An Act for disabling all persons in holy Orders to exercise any Temporal Jurisdiction or Authority. Repealed 13 Car. 2. cap. 2.

Accounts.

I. Stat. Marlebridge, cap. 23. 52 H. 3. Bailiffs of Lords who withdraw themselves from accounting, and have not whereof to be distrained, shall be attached by the Sheriff, and made to Account.

II. Stat. West. 2. cap. 11. 13. E. 1. Servants, Bailiffs, or other Accountants that are found in Arrearages by Auditors assigned by their Masters, upon the testimony of the same Auditors, shall be committed to the next Goal, and there remain in Iron under safe custody at their own costs, until they shall have satisfied their Masters.

III. Here, if the Accountant find himself agrieved by the Auditors, he may appeal to the Barons of the Exchequer, and then the Sheriff shall give notice to his Master to attend the Barons at a certain day with the Account, where the Barons, or Auditors by them assigned, shall rehearse the Account, and do Justice therein: But if then also the Accountant shall be found in Arrear, he shall be committed to the Fleet.

IV. If he fly or will not account, a *Distingas* shall issue out against him, to cause him to appear before the Justices to account; and upon appearance, Auditors shall be assigned him; by whom if he be found in arrear, and not able to pay, he shall be committed to the Goal, as aforesaid. But if he fly, and the Sheriff return thereupon *Non est inventus*, after *Exigent*, he shall be outlawed, and then being taken, he shall not be repleviable without the Masters consent, in pain that the Sheriff, Goaler, or, &c. who doth so bail him (being thereupon convict) shall answer the Master his damages; and if an inferiour Officer, who so doth, be not responsible, *Respondeat Superior*.

* V. Stat. 6 H. 4. 3. Immediately after the Sheriffs, Escheators, Aulnegers, Customers, Controulers, and other the Kings Officers, shall have accounted in the Exchequer, Commissions shall be sent down to enquire of their accounts: and if fraud shall be found therein, they shall incur the penalty of treble damages to the King, and shall suffer Imprisonment, not to be enlarged until they have made Fine at the discretion of the Judges.

VI. Stat. 1 R. 3. 14. Accountants for Dismes, (granted by the Clergy of the Provinces of *Canterbury* or *York*) are not chargeable to answer other mens suits in the Exchequer (by reason of their appearance there to account) save only for such things

Accusations.

5

things as concern their Account : howbeit they may be sued in any other Court, notwithstanding such privilege of being Accountants.

VII. Stat. 13 Car. 2. cap. 3. An Act for the declaring, vesting and settling of all such Monies, Goods, and other things in his Majesty, which were received, levied, or collected in the late Times, and are remaining in the hands or possession of any Treasurers, Receivers, Collectors, or others not pardoned by the Act of Oblivion. Provided that this Act shall not extend to call any person to account after the 24th of *June*, 1662. See the Act at large.

VIII. Stat. 13 Car. 2. 13. An Act for vesting the arrears of the Excise and new Impost in his Majesty. No person shall be molested for any of the duties hereby vested in his Majesty, unless prosecuted before the 25th of *December*, 1662.

IX. Stat. 13 & 14 Car. 2. cap. 14. An Act directing the prosecution of such as are accountable for Prize Goods. See the Statute at large.

X. Stat. 13 & 14 Car. 2. cap. 16. An Act for the more speedy and effectual bringing those persons to account, whose Accounts are excepted in the Act of Oblivion. See the Act at large.

XI. Stat. 16 & 17 Car. 2. cap. 6. An Act for repealing part of 13 & 14 Car. 2. cap. 14. See the Act at large.

XII. Stat. 19 Car. 2. cap. 9. An Act for taking the account of several Sums of Money therein mentioned. See the Act at large.

XIII. Stat. 22 & 23 Car. 2. cap. 21. An Act for taking the accounts of 60000 *l.* and other Monies given to loyal and indigent Officers. See the Stat.

Accusations.

I. *Magna Charta* 29. 9 H. 3. No Freeman shall be taken, imprisoned, disseised, outlawed, exiled, or otherwise destroyed or condemned, without trial by his Peers or the Law: Justice or Right shall not be sold, denied, or deferred to any.

II. Stat. 5 E. 3. 9. None shall be attached upon any accusation, nor fore-judged of life or limb, nor his Lands or Tenements, Goods or Chattels seised into the Kings hands, against the form of the Great Charter, and the Law of the Land.

III. Stat. 25 E. 3. 4. Stat. 5. None shall be apprehended upon Petition or Suggestion made to the King or his Council, unless by indictment or presentment of lawful men, or by process at the Common Law.

IV. None shall be outed of his Franchises or Free-hold, but by way of Law: and if any thing be done against the same, it shall be redressed, and holden for none.

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V. Stat.

Actions Popular.

V. Stat. 28 E. 3. 3. None shall be put from his Land or Tenement, imprisoned, disinherited, or put to death, without being brought in to answer by due process of Law.

* VI. Stat. 37 E. 3. 18. Promoters of Suggestions to the King shall find surety before the Chancellor, Treasurer, and the Kings Great Council, to pursue their Suggestions, and to incur the pain which the accused should suffer, in case the Suggestion hold not: And then process shall issue out against the accused, without being taken or imprisoned, against the Form of the Great Charter.

* VII. Stat. 38 E. 3. 9. If the promoter of the Suggestion cannot make it good, he shall be imprisoned, until he satisfy the party grieved his damages, and shall also make Fine to the King.

VIII. The Clause of the 37 E. 3. 18. for incurring the like pain, shall be taken away.

IX. Stat. 42 E. 3. 3. None shall be put to answer an accusation to the King without presentment, or some matter of Record; and what is done otherwise shall be void, and holden for error.

X. Stat. 17 R. 2. 6. Upon an untrue Suggestion made against any in the Chancery, the Chancellor may award damages.

XI. Stat. 15 H. 6. 4. None shall sue forth a *Subpœna*, until he find surety to satisfy the Defendant his Damages and Costs, in case he do not verifie his Bill.

Actions Popular.

 I. Stat. 4 H. 7. cap. 20. Recovery in an Action popular by Covin shall be no bar in an Action sued for the same thing *bona fide*.

II. Here the Defendant attainted of Collusion shall suffer two years Imprisonment, to be prosecuted within one year.

III. No release of a common person shall in this case discharge an Action Popular.

IV. Yet no Collusion is in this case averrable, where the point of the same Action or the Collusion it self hath been tried by verdict.

 V. Stat. 31 El. 5. Informers heretofore restrained by order of any Court, shall not pursue Actions Popular.

VI. In Popular Actions the offence shall be laid to be done in the County where indeed it was done: otherwise, if the Defendant traverse and disprove that point, the Plaintiff shall be barred.

VII. This Act doth not restrain Officers which have lawfully used to exhibit Informations, nor Actions brought for Champerty, buying of Titles, Extortion, Offences against the Statute of 1 El. 11. (concerning the right landing of Merchandise, and Custom of sweet Wines) concealing of Customs, &c. corrupt usury, forestalling, regrating or ingrossing, when the penalty shall amount to 20*l.* or above: For in all these cases the offence may be laid in any County.

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Addition, Adjournment, &c.

7

* VIII. Popular Actions, where the King only hath the Forfeiture, shall be commenced within two years; where he hath only a part, and the Informer the rest, within one year: But this is to be understood, where a shorter time is not limited by any Statute.

* IX. All Suits for using unlawful Games, or any Art or Mystery without being brought up in it, and for not having Bows and Arrows according to the Statute, shall be prosecuted at the Assises or Sessions of the County, or at the Leet, within which the offence was committed, and not elsewhere.

§ * X. Stat. 21 Jac. 1. 4. Actions Popular, which may be presented before Justices of Assise, *Nisi prius*, G. D. Oyer and Terminer, or of P. shall be prosecuted only in the Counties where the offences were committed; except for Recusancy, Maintenance, Champerty, buying of Titles, concealing of Customs, &c. or transporting of Gold, Silver, Munition, Wool, Wool-fells, or Leather.

XI. Upon default of proving that the offence was committed in the same County, the Defendant shall be found Not Guilty.

XII. The Informer shall make Oath that the offence was committed in the same County where the Action is laid, and within one year before the suit commenced.

* XIII. The Defendant in a Popular Action may plead the general Issue, and yet give special matter in evidence.

Addition.

I. Stat. 1 H. 5. 5. In Original Writs, where *Exigent* shall be awarded, Additions of the Defendants Condition and Dwelling shall be inserted.

II. Outlawries otherwise prosecuted, shall be void.

III. Surplusage of Addition shall not prejudice, albeit the Writ do therein vary from the Records and Deeds.

IV. The Clerks of the Chancery shall not omit such Additions, on pain to be Fined at the discretion of the Chancellor.

Adjournment.

I. Stat. 2 E. 3. 11. The Common Bench shall not be removed without warning by Adjournment.

Admeasurement of Dower.

I. Stat. West. 2. cap. 7. 13 E. 1. A Guardian shall have a Writ of Admeasurement of Dower; yet the Heir (at full age) shall not be barred by that suit, in case it be prosecuted by Collusion.

II. When it comes to the great Distress, days shall be given, within which two Counties may be holden, where Proclamation shall

Admeasurement of Pasture, &c.

shall be made for the Defendant to come in at the day contained in the Writ: at which if the Defendant appear, the Plea shall proceed; but if not, upon the Proclamation returned by the Sheriff, and the Defendants default, Admeasurement shall be made.

Admeasurement of Pasture.

I. *West. 2. cap. 8. 13 E. 1.* Upon a second overcharge of Pasture, if the Pasture were admeasured before the Justices, the remedy shall be by Writ judicial, returnable before the Justices under the Seals of the Sheriff and Jurors: and then the Justices shall award Damages to the Plaintiff, and shall Estreat into the Exchequer the value of the Beasts (wherewith the Pasture was so overcharged) to be answered to the King.

II. If the Admeasurement were made in the County the Sheriff by a Chancery-Writ shall enquire of the Surcharge, and value of the Beasts, and shall answer the same to the King in the Exchequer.

III. To prevent fraud in the Sheriff, all such Writs *De secundasuperoneratione* shall be Enrolled, and also at the years end, transcribed in the Exchequer; and so likewise shall Writs of *Redisseisin*.

Administrators.

I. *Stat. 31 E. 3. 11.* The Ordinaries shall depute the next and most lawful Friends of the Intestate to Administer his Goods; which Deputies shall have the benefit, and incur the charge of an Executor, and shall also be accountable to the Ordinaries as Executors.

II. *Stat. 21 H. 8. cap. 5.* Administration of Intestates Goods shall be granted to the Widow, or next of kin to the Intestate, or both, as the Ordinary shall think fit.

* See what Fees only ought to be paid for Probate of Wills, and obtaining Administrations, and upon what penalties upon exaction, *post*: Title, Probate of Testaments.

III. *Stat. 22 and 23 Car. 2. cap. 10.* All Ordinaries and Ecclesiastical Judges having power to commit Administration, shall upon their granting Administration of Intestates Goods, take Bonds with Sureties, two or more, in the name of the Ordinary, with this Condition, *viz.*

The Condition of this Obligation is such, That if the within-bounden A. B. Administrator of all and singular the Goods, Chattels, and Credits of C. D. deceased, do make, or cause to be made a true and perfect Inventory of all and singular the Goods, Chattels, and Credits of the said deceased, which have or shall come to the hands, possession or knowledge of him the said A. B. or into the hands

Administrators.

9

bands and possession of any other person or persons for him, and the same so made, do exhibit or cause to be exhibited into the Registry of Court, at or before the day of next ensuing; and the same Goods, Chattels and Credits, and all other the Goods, Chattels and Credits of the said deceased at the time of his death, which at any time after shall come to the hands or possession of the said A. B. or into the hands and possession of any other person or persons for him, do well and truly Administer according to Law; and further, do make, or cause to be made a true and just account of his said Administration, at or before the day of . . . And all the rest and residue of the said Goods, Chattels and Credits, which shall be found remaining upon the said Administrators account, the same being first examined and allowed of by the Judge or Judges for the time being, of the said Court, shall deliver and pay unto such person or persons respectively, as the said Judge or Judges, by his or their Decree or Sentence, pursuant to the true intent and meaning of this Act shall limit and appoint; and if it shall hereafter appear that any Last Will and Testament was made by the said deceased, and the Executor or Executors therein named do exhibit the same into the said Court, making request to have it allowed and approved accordingly, if the said A. B. within bounden being thereunto required, do render and deliver the said Letters of Administration (Approval of such Testament being first had and made) in the said Court; then this Obligation to be void and of none effect, or else to remain in full force and virtue.

IV. The Ordinaries, &c. may call such Administrators to account, and order distribution of what remaineth after Debts, Funerals, and just Expences of all sorts allowed, according to the Laws in such cases, and the Rules hereafter set down; saving to Persons agrieved their right of Appeal.

V. The Customs of the City of London, and Province of York, and other places, saved.

VI. The surplusage shall be distributed, as follows, viz one third to the Wife of the Intestate, the residue among his Children, and such as legally represent them, if any of them be dead, other than such Children (not Heirs at Law) who shall have any Estate by settlement of the Intestate in his life-time, equal to the other shares: Children, other than Heirs at Law, advanced by settlements or portions not equal to other shares, shall have so much of the surplusage, as shall make the Estate of all to be equal. But the Heir at Law shall have an equal part in the distribution with the other Children, without any consideration of what he hath by descent, or otherwise from the Intestate.

VII. If there be no Children, nor legal representatives of them, one moiety shall be allotted to the Wife, the residue equally to the next of Kindred to the Intestate in equal degree, and those who represent them.

VIII. No

VIII. No Representatives shall be admitted among Collaterals after Brothers and Sisters Children. And if there be no Wife, all shall be distributed among the Children, and if no Child, to the next of Kin to the Intestate in equal degree, and their Representatives, *ut supra*.

IX. No such distribution shall be made till after one year after the Intestates death, and every one to whom any shares shall be allotted, shall give Bond with Sureties in the said Courts, that if Debts afterwards be made to appear, he shall refund his ratable part thereof, and of the Administrators charges.

X. In all cases where the Ordinary hath used to grant Administration *cum Testamento annexo*, he shall continue so to do.

XI. This Act shall continue seven years, and from thence to the end of the next Session of Parliament.

XII. Stat. 1 Jac. 2. cap. 17. The Act next above made perpetual.

XIII. Stat. 29 Car. 2. cap. 3. The Act of 22 & 23 Car. 2. cap. 10. shall not extend to the Estates of Feme Coverts that die Intestate, but that their Husbands may have Administration of their personal Estates, as before the making of the said Act. Made perpetual 1 Jac. 2. cap. 17.

XIV. Stat. 30 Car. 2. cap. 6. An Act of this Parliament, Intituled, *An Act for avoiding unnecessary Suits and Delays, (whereby amongst other things it was Enacted, That an Administrator de bonis non may sue a Scire facias, and take Execution upon a Judgment had in the name of an Executor or Administrator)* shall be in force from the first day of this Session for seven years, and from thence to the end of the next Session of Parliament. Made perpetual.

XV. Stat. 1 Jac. 2. cap. 17. No Administrator shall be cited into any Ecclesiastical or other Courts, having right to take Probate of Wills, to render an account of the Personal Estate of his Intestate, otherwise than by an Inventory thereof, unless at the Instance of some person in behalf of a Minor, or having a Demand out of such Estate as a Creditor, or next of Kin; nor shall he be compellable to Account before any Ordinary or Judge imployed by the Act of 22 & 23 Car. 2. cap. 10. otherwise than as aforesaid.

XVI. If after the death of a Father, any of his Children shall die intestate, without Wife or Children, in the life-time of the Mother, every Brother and Sister and their Representatives shall have equal share with her.

XVII. The Clause in the said Act, *For the better Settling Intestates Estates*, by which is provided, That that Act shall not prejudice the Customs of the City of London and Province of York, shall not be construed to extend to such part of any Intestates Estate, as an Administrator, by virtue of his being so, by pretence of any Custom may claim, to exempt the same from distribution.

Admiralty.

I. Stat. 13 R. 2. 5. The Admirals, or their Deputies, ſhall not meddle with any thing done within this Realm, but only upon the Sea.

II. Stat. 15 R. 2. 3. The Admirals Court ſhall not have Cogniſance of any thing done within the bodies of Counties, as well by Land as by Water, nor with Wrecks of the Sea.

III. Of the Death of a Man, and of a Maihem done in great Ships hovering in the main Stream of great Rivers (beneath the Bridges near the Sea) the Admiral ſhall have Cogniſance, and likewise to arreſt Ships in great Fleets, for the great Voyages of the King and Kingdom; and ſhall alſo have Jurisdiction in ſuch Fleets during ſuch Voyages: Saving to the King his Forfeitures, and to Lords, Cities and Boroughs their Liberties and Franchiſes.

IV. Stat. 2 Hen. 4. 11. The Statute of 13 R. 2. 5. is confirmed.

V. The Party grieved by the Non-obſervance of that Statute, ſhall (by Action upon his Caſe) recover double Damages againſt the Proſecutor in the Admiralty, and the Proſecutor ſhall alſo forfeit Ten Pounds to the King, being thereof Attainted.

VI. Stat. 8 El. 5. A Sentence definitive in a Civil and Marine Cauſe by Delegates appointed by Commiſſion (upon an Appeal duly made in the Chancery) ſhall be final.

Admiralty Court, ſee Title Courts.

Advouſon.

I. Weſt. 2. c. 5. 13 E. 1. Uſurpation of Churches during Wardſhip, particular Eſtates, Coverture, or Vacancy, ſhall not bar the Heir at full Age, the Reverſioner or Remainder in poſſeſſion, the Feme Diſcovert, or the Spiritual Perſon in Succeſſion, from having the Writ of Advouſon poſſeſſory, viz. *Quare impedit*, or an Aſſiſe of *Darrein Preſentment*, as their Anceſtor or Predeceſſor might have had, if the Uſurpation had happened in their time: whereas before this Act they were (in ſuch Caſes) put to their Writ of right of Advouſon.

II. Howbeit this Act ſhall not extend to annul Judgments already given, but they ſhall be reverſed by Error or Attaint.

III. One and the ſame Form of Pleading ſhall be uſed in *Darrein Preſentment* and *Quare impedit*; viz. If the Defendant alledgeth Plenarty, of his own Preſentation, the Plea ſhall not ſtay by reaſon of the Plenarty, ſo as the Writ be purchaſed within the Six Months, albeit he cannot recover within that time.

IV. Where Partition is made upon Record or by Fine to preſent

sent by turn, the Coparcener that is disturbed, shall not be put to a *Quare impedit*, but may have remedy upon the Roll or Fine by *Scire facias*.

V. When Six Months pass hanging a *Quare impedit*, or *Darrein Presentment*, so that the Bishop presents by Lapse, the Patron shall recover Damages to Two Years value of the Church, otherwise Damages only to have a years value.

VI. The Disturber not being able to render Damages, shall in the first case have Imprisonment of Two years, and in the other of half a year.

VII. Writs also shall hereafter be granted for Chapels, Prebends, Vicarages, Hospitals, Abbeyes, Priories, and other Houses, which be of the Advowsons of other Men.

VIII. When the Parson of a Church is disturbed to demand Tithes in the next Parish by *Indicavit*, the Patron shall have a Writ to demand the Advowson of those Tithes; and when it is deraigned, then shall the Plea pass in the Court Christian.

IX. Amongst Coparceners, if one present twice together, yet shall not the other be barred, but have his or her turn when it falleth.

X. *Prerog. Reg. cap. 8. 17 E. 2.* Lapse of Six months shall not prejudice the Kings Presentation to a Church.

XI. *Stat. de Clero, cap. 3. 23 E. 3.* When the King Collates to the Church in anothers right, his Title shall be well examined, and the Patron grieved shall have as many Writs thereupon as shall be needful.

XII. *Stat. de Clero, cap. 7. 25 E. 3.* When the Ordinary presents by Lapse, and the King takes the Suit against the Patron who in deceit suffers the King to recover; in this case, when the Kings Right is not tried, the Ordinary or Incumbent may counterplead the Kings Title.

Affidavit.

I. *Stat. 16 & 17 Car. 2. cap. 9.* The Chancellor of the Dutchy and County Palatine of *Lancaster* may from time to time empower Persons within the County Palatine, and other Dutchy Liberties, to take Affidavits concerning any matter depending in the Court of Dutchy Chamber, which shall be filed in the Office of the Clerk of the Court of the Dutchy, and made use of as other Affidavits taken in the said Court are.

II. The Person taking such Affidavit shall receive but 12 *d.* for so doing.

III. *Stat. 29 Car. 2. cap. 5.* The Chief Justice, and other the Justices of the Court of Kings Bench, or any two of them, whereof the Chief Justice to be one for that Court; the Chief Justice of the Common Pleas, and the rest of the Justices there, or two of them, whereof the Chief Justice to be one for that Court;

Age, Aid of the King.

13

Court; and the Lord Treasurer, Chancellor and Barons of the Exchequer, or two of them, whereof the Lord Treasurer, Chancellor, or Chief Baron, to be one for that Court, may by *Commissions* under the Seals of the said respective Courts, from time to time, empower Persons in the several Counties, to take Affidavits concerning any thing depending, or concerning any Proceedings in the said Courts, as Masters of Chancery in extraordinary use to do. And any Judge of Assize in his Circuit may take Affidavits concerning any thing depending, &c. as aforesaid. Which Affidavits shall be filed in the several Offices of the said Courts, and be made use of as other Affidavits taken in the said Courts. And all Persons forswearing themselves in such Affidavits, shall incur the same Penalties as if they had been taken in open Court.

IV. The Persons taking such Affidavits shall receive only 1 s. for so doing, besides the Kings Duty: which Duty shall be paid to the proper Officers in the said Courts before such Affidavit be there filed or made use of.

Age.

I. *West. 1. cap. 46. 3 E. 1.* If a Writ of *Novel disseisin* be purchased, and the Disseisor die before the Assize be passed, the Plaintiff shall have a Writ of Entry *sur disseisin* against his Heir. The like Writs shall the Heir of the Disseisee have, in case he die, &c.

II. And here Nonage of the Heir of the Disseisor or Disseisee shall not prejudice in Assize.

III. If the Inquest pass against the Heir of the Disseisee, he shall have an Attaint *gratis*.

IV. *Stat. of Gloucester, cap. 2. 6 E. 1.* Where an Infant is held from his Inheritance, whereby he is driven to his Writ, the Inquest shall pass notwithstanding his Nonage.

V. *An Exposition of the Statute of Gloucester, cap. 2. 6 E. 1.* touching an Inquest to be made for an Infant, that Statute shall run without limitation of time.

VI. *Stat. West. 2. cap. 40. 13 E. 1.* The Suit of a Woman or her Heir after the death of her Husband, shall not be delayed by the Minority of the Heir, who ought to warrant the Land.

Aid of the King.

I. *Stat. de Bigamis, cap. 1. 4 E. 1.* Where a Feoffment with a Charter thereupon being made by the King hath so much in it, that another Person by a like Feoffment, and like Deed, should be bound to Warranty: the Heir shall have Aid, and the Justices shall not proceed without the Kings Commandment.

II. *Ibidem, cap. 2.* But where the King only confirmeth or ratifieth anothers Act in another Mans thing, or granteth any thing

Alehouses, Drunkenness.

thing to a Man as much as in him is, or where a Deed is shewed, whereby the King hath rendred any Tenement, and no Clause of Warranty is contained therein: in these and like Cases (the same being shewed to the King) the Justices may proceed, and the Tenants shall not have Aid.

III. *Ibidem*, cap. 3. In Dower the Kings Grantee of a Ward shall not have Aid, but the Justices may proceed according to right.

IV. Stat. 14 E. 3. 14 Stat. 1. Upon demand of Lands in the Kings hands, after Four Writs of Search directed to the Treasurer and Chamberlains of the Exchequer, for finding the Kings Miniments, he that defends the Lands for the King, shall be put to answer, so that the said Writs were delivered 40 days before their return, and then Justice shall not be delayed, albeit the contrary be commanded under the Great or Privy Seal.

* Alehouses, Drunkenness.

I. Stat. 5 & 6 E. 6. 25. None shall keep Alehouse without Licence granted either in Sessions, or by two Justices (1 *Quor.*) in pain of Three days Imprisonment without Bail, and none to be enlarged without Recognisance by himself and two Sureties, that he shall not keep Alehouse any longer; the Certificate of which Recognisance and Offence shall be a sufficient Conviction at the Quarter Sessions to fine him 20 s.

II. The Quarter Sessions, or Two such Justices, have power to put down Alehouses at their Discretion, and to take Bond and Surety of Alehouse-keepers by Recognisance, that they shall not use unlawful Games, or other Disorder in their Houses, for which Recognisance the Parties bound shall pay 12 d. and whereof Certificate shall be made at the next Quarter Sessions, by the two Justices that take it, in pain of 5 Mark.

III. Justices of Peace have power to enquire after the breach of this last Recognisance, to award Process thereupon, and to hear and determine the same at their discretions.

IV. This Act shall not restrain the Selling of Ale and Beer in Towns where Fairs are kept, during the time of the Fair.

V. Stat. 1 Jac. 1. 9. No Inn-keeper, Victualler, or Alehouse-keeper, shall suffer any Town-dwellers to sit tipling in his House, in pain of 10 s. nor sell less than a full Ale Quart of the best Ale or Beer, or two Quarts of the small, for One penny, in pain of 20 s. And here the view of one Justice, or proof by two Witnesses upon Oath before one Justice, is sufficient Conviction.

VI. The Penalties aforesaid are given to the Poor of the Parish where the Offence is committed, and are to be Levied by the Constable and Churchwardens by Distress, which after Six days may be sold to satisfy the Penalty: and in default of Distress, the

the party delinquent must suffer Imprisonment till he pay the penalty.

VII. Here every Officer that neglects to levy the said penalties or certifie (within twenty days) the default of distress, shall forfeit likewise to the poor forty shillings, to be levied (upon Warrant from one Justice) by distress and sale as aforesaid; and upon default of distress, shall incur commitment, as aforesaid.

VIII. The Officers, or other parties receiving these penalties, shall be accountable to the succeeding Officers and other Parish-
oners.

 IX. Stat. 4 Jac. 1. 4. None shall sell Ale or Beer to an unlicensed Alehouse-keeper, save only for the expence of his household, in pain of 6 s. 8 d. for every Barrel; and so more or less according to that proportion.

X. This Offence shall be prosecuted in the Quarter Sessions, and the Forfeiture shall be equally divided between the Prosecutor and the Poor of the Parish.

XI. The Officer that shall levy the poors moiety, shall deliver it to the Churchwardens and Overseers of the Parish, or one of them, and they shall in convenient time make distribution thereof to the poor, in pain that both the Officer and they shall Forfeit respectively double the value of that moiety, to be recovered and employed, as aforesaid.

XII. Stat. 4 Jac. 1. 5. One convicted of Drunkenness in Court, or before a Judge or Justices in their several limits, shall Forfeit five shillings to the poor, to be levied and employed as the penalties of 1 Jac. 1. 9 and in case he be not able to pay it, shall remain in the Stocks six hours.

XIII. Here the Officer that neglects to levy the said penalty shall Forfeit ten shillings, to be levied and employed, as aforesaid.

XIV. A Town-Jweller which is Convict to sit tipling in any Inn, Victualling house, or Alehouse, by the view of one Justice, or the proof of two Witnesses, shall Forfeit Ten groats, to be levied and employed, as aforesaid, and being not found able to pay it, shall remain in the Stocks four hours.

XV. These offences as also those mentioned in 1 Jac. 1. 9. shall be enquired of, heard and determined at the Assises, Quarter Sessions, in Corporate Towns and in Leets.

XVI. One convicted the second time of Drunkenness, shall be bound in Ten pounds with two Sureties to the good behaviour.

XVII. All Constables, Churchwardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, shall be charged on their Oaths to present the said offences.

XVIII. This Act shall not restrain Ecclesiastical Jurisdiction, nor the two Universities.

XIX. None shall be twice punished for one offence.

XX. The

XX. The offenders against this Act shall be prosecuted within six months.

XXI. Stat. 7 Jac. 1. 10. An Alehouse-keeper lawfully convicted for any of the offences forbidden by the Statutes of 1 Jac. 1. 9. or 4 Jac. 1. 5. shall be disabled to keep Alehouse within three years after.

XXII. Stat. 21 Jac. 1. 7. One Witness, or the parties own confession, shall be sufficient to prove the breach of 1 Jac. 1. 9. and 4 Jac. 1. 5. and the Oath of the party confessing, shall be sufficient to convince any other.

XXIII. The like view, proof, or confession, shall convince a Drunkard; as well for the penalty of 5 s. as for the binding of him to the good behaviour, according to 4 Jac. 1. 5.

XXIV. An Alehouse-keeper offended against 1 Jac. 1. 9. or 4 Jac. 1. 5. according to the alteration of this Act, is disabled to keep Alehouse within three years after.

XXV. All Constables, Churchwardens, Headboroughs, Tithingmen, Aleconners, and Sidemen, shall be charged on their Oaths, to present the offences committed against 1 Jac. 1. 9. and 4 Jac. 1. 5. according to the Alterations of this Act.

XXVI. Stat. 1 Car. 1. 14. The Inn-keeper, Alehouse-keeper or Victualler, which suffers any person whatsoever to sit tipling in his house, shall incur the penalty of 1 Jac. 1. 9. to be proved, levied and employed, as in that Statute is appointed.

XXVII. Vintners, which do also keep Inns or Victualling houses, shall be taken to be within this Act; as also within the Stat. of 1 Jac. 1. 9. and 4 Jac. 1. 5.

XXVIII. Stat. 3 Car. 1. 3. None shall keep an Alehouse without Licence, in pain to Forfeit 20 s. to the poor, which the Constable and Churchwardens (upon Warrant from the Justice before whom the offence is proved) shall levy by distress, which (within three days) may be sold to satisfy the penalty; and in case the Delinquent hath not wherewithal, the said Justice shall commit him to the Constable to be openly whipped. And here the view of one Justice, the confession of the party, or proof by two Witnesses, is sufficient conviction.

XXIX. Here the Officer that neglects to execute the Warrant, or to punish the offender, shall suffer Imprisonment without bail, or pay 40 s. to be employed, as aforesaid.

XXX. In this case; if the Alehouse-keeper offend the second time, he shall be committed to the house of Correction for one month; and for the third offence shall not be thence enlarged but by order of Sessions.

XXXI. The offender once punished by this Act, shall not be again punished by 5 & 6 E. 6. 25. & contra.

XXXII. This Act shall not restrain the selling of Ale and Beer in Fairs.

Vide Beer, Ale, and Mum.

Alienation

Alienation without Licence.

I. *Prærogat. Regis. cap. 6. 17 E. 2.* None holding of the King in chief by Knights service, may (without his Licence) alien so much of his Land, that the residue will not suffice to do his service: but this is not meant of little parcels thereof.

Note, That Clause is in Rast. Fol. 1. But I find it not in the Stat. at Large, nor in Scamford. 'Tis in Pult. cap. 6.

II. When Serjeants are alienated without the Kings Licence, the King hath used to rate them at reasonable extent.

III *Stat. 1 Car. 1. 3.* All Licences of Alienations (other than upon raising of uses by force of any Deed from or out of the Estate of the Covenanter) shall be general to alien, without expressing any uses.

IV. The Officer that takes above 26s. 8d. for drawing, pleading, entring, finishing and discharging a Licence or Pardon of Alienation, shall Forfeit to the party grieved for every penny so taken, 5s. to be recovered by information or Action of Debt, and shall be for ever after disabled to bear Office in any Court of Justice.

Aliens.

I. *Stat. 31 H 6. 4.* If any Stranger (being in league, or having the Kings safe conduct) be attached in his person, or robbed of his Ship or Goods, by any of the Kings Subjects at Sea, or in any Port within the Kings Dominions, the Chancellor, (upon a Bill of complaint) calling to him any of the Justices of either Bench, shall have power to enlarge the person so attached, and to make delivery, and restitution of the Ship or Goods, or the value thereof, and also of all costs, expences, and losses sustained in that behalf.

* II. *Stat. 1 R. 3. 9.* An Alien Artificer (not made Denizen) shall not remain nor exercise any Handicraft in *England*, unless as servant to a subject skilful in the same Art, in pain to Forfeit all his Goods.

III. No such Alien shall here in *England*, make any Cloth, or put any Wooll to work, in pain to Forfeit the Cloth so made.

IV. Such an Alien shall here in *England* sell his Wares in gross, and not by retail, in pain to Forfeit the value of the Wares otherwise sold: and being an Handicrafts-man, and inhabiting a great House or Chamber, shall not take any Apprentice or Servant to work with him, unless it be his Son or Daughter, or else a subject born, in pain to Forfeit for every Apprentice or Servant otherwise taken, 20*l.*

V. The Forfeitures of this Act are to be divided between the King and the Prosecutor.

VI. Stat. 14 H. 8. 2. No stranger Artificer (Denizen or not Denizen) shall take any Apprentice, but such as is born under the Kings obeisance, in pain to Forfeit 10 l. for every Apprentice otherwise taken, to be divided betwixt the King and the Prosecutor.

No Alien shall keep above two Journeymen, except they be born under the Kings obeisance, upon the like pain, to be divided, as aforesaid.

VII. All Strangers (Denizens or not Denizens) dwelling within two miles of London, shall be under the reformation of the Wardens of Handicrafts within that City, and of one substantial Stranger, being an householder, of the same Craft, to be chosen by the same Wardens.

VIII. The said Wardens and that one stranger shall assign a proper mark for Strangers Wares without taking any thing for the same.

IX. The said Wardens and Stranger shall have power to search, view and reform the Wares of Aliens, made within the said Precinct.

X. Smiths, Joyners, and Coopers, (being Aliens) shall put such marks to their Wares, before they sell or use them, as the said Wardens shall appoint, without taking any thing therefore, in pain to Forfeit the double value thereof, to be divided between the King and the Prosecutor.

XI. If upon search the Wardens and Stranger shall find any Wares to be deceitfully made, they shall be Forfeit, viz. the one half to the King, and the other half to the Finder; and shall be recovered by Action of Detinue.

XII. Wardens and Masters of Fellowships of Handicrafts, in other Corporations, and Bailiffs, and other head Officers in Towns lacking Wardens, have like power to reform Strangers, and Strangers are bound to yield obedience unto them, upon the like pains, as aforesaid.

XIII. Here if a Stranger be wronged, upon complaint to the Chancellor and Treasurer of England, or to the Justice of Assise, he shall have redress.

XIV. This Act shall not extend to Strangers dwelling in Oxford, Cambridge, and St. Martins le Grand, London.

XV. If the Wardens with a Stranger, or the Officers of Corporations or other Towns, refuse to mark a Strangers Wares, being required so to do, in such case it shall be lawful for such Stranger to sell his Wares, this Act notwithstanding.

XVI. This Act shall only extend to Joyners, Pouch-makers, Coopers and Blacksmiths, and to no other Crafts.

XVII. Any of the Kings Subjects having Land worth an 100 l. per annum, may retain any Stranger, that is a Joyner, or Glasier, to work for him, this Act notwithstanding.

XVIII. Stat.

XVIII. Stat. 21 H. 8. 16. A decree made in the Star-Chamber the 20th of February, 20 H. 8. concerning Artificers Strangers, was confirmed: The substance of which Decree hereafter followeth.

XIX. A Stranger Artificer shall not keep in his house at one time above two strangers servants: howbeit a Subject Artificer may retain as many Strangers as he pleaseth, to be his servants or apprentices.

XX. Strangers Artificers may take as many *Englishmen* to be their servants or apprentices as they can get.

XXI. Strangers Artificers shall be contributory with *English* Artificers; and in case they refuse, they shall not only lose the benefit of this decree, but likewise be prohibited to exercise their Craft, in pain of incurring the Forfeiture of the abovesaid Statute.

XXII. Strangers Artificers shall (upon lawful warning) go, with the Wardens and other Governors of the same Company, to make search: which if they refuse, and that proved before the Chancellor of *England*, or Mayor of *London*, or (in other places) before the chief Officers, they shall no longer exercise their Profession in *England*, in pain of the Forfeitures aforesaid.

XXIII. Strangers Artificers shall (upon lawful notice) make Oath to be true to the King, and obedient to his Laws, and to make due search with others: and not to discover to any beforehand the intention of search; and being sworn, shall pay for their Commission as the subjects of *England* do.

XXIV. No Strangers but Denizens shall keep house or shop in pain of incurring the penalties of the aforesaid Statutes.

XXV. Strangers shall not assemble but in the common Halls of their Mysteries, upon the penalties aforesaid.

XXVI. This Decree and Act (for so much as concerns Cordwainers) shall extend as well to such as work old Stuff, as those that work new.

XXVII. This Decree and Act shall not extend to strangers (Denizens or not Denizens) dwelling in *Oxford*, *Cambridge*, or *St. Martins le grand London*.

XXVIII. Stat. 22 H. 8. 8. Aliens born, made Denizens, shall pay all such Customs and other Duties as they did before they were made Denizens.

XXIX. A Table of Customs, Tolls, and Duties, shall be set up in every City, Borough and Town, in pain that every City not doing the same shall Forfeit 5*l.* and every Town Corporate 40*s.* for every month the same shall fail to set up at *Pentecost* next, to be divided betwixt the King and the Prosecutor.

XXX. This Act shall not prejudice the Merchants of the *Still-yard, London*.

XXXI. Provided, That the Tables of Scavage to be set up in *London*, shall be approved by the Chancellor and Treasurer of *England*, the President of the Kings Council, the Lord Privy

Seal, the Lord Steward of the Kings House, and the two Chief Justices, or four of them, and shall be by them subscribed.

XXXII. Stat. 22 H. 8. 13. No stranger being a common Baker, Brewer, Surgeon, or Scrivener, shall be accounted a Handicrafts-man within the penal Statutes made against strangers Artificers.

XXXIII. Stat. 32 H. 8. 16. All strangers (made Denizens) shall be obedient to the Statutes of 1 R. 3. 9. 14 H. 8. 2. and 21 H. 8. 16. And in all Letters Patents of Denization hereafter to be made a *Proviso* for that purpose shall be inserted; save only when the King shall please to grant special Liberties, and then those Liberties shall be plainly exprest, both in Bills signed by his Majesty, and also in the Letters Patents.

XXXIV. No Alien Artificer (Denizen or not Denizen) in Oxford, Cambridge, or St. Martins le Grand, London, shall keep above two strangers, servants at one time in pain to incur the penalty of 14 H. 8. 2.

XXXV. Every Alien (not Denizen) within the Kings Dominions shall be bound to observe the Laws of this Kingdom.

XXXVI. No subject or stranger (using no handicraft) shall retain above Four servants strangers, in pain to Forfeit for every servant kept above that number, 10 l.

XXXVII. The abovesaid Forfeitures shall be divided betwixt the King and the Prosecutor.

XXXVIII. This Act shall not be prejudicial to a Proclamation published by the King, concerning the payment of Customs for strangers, to endure for certain years.

XXXIX. Lords of the Parliament may keep six strangers born at one time.

XL. No stranger (except Denizens) shall take a Lease of any house or shop, in pain to Forfeit 5 l. and none shall lett them such Leases upon the like pain, both of them to be divided betwixt the King and the Prosecutor.

XLI. Stat. 25 Car 2 cap. 6. All Clauses in any Statute that concern any Custom or Subsidy upon the native Commodities of this Realm (except Chals) or Manufactures made here, to be exported, payable by Aliens made Denizens, or other Aliens, over and above what is payable by natural born subjects, are hereby repealed.

XLII. And such Merchants shall pay for all such Merchandizes exported such Customs and Subsidies only as the Kings natural born subjects do by virtue of the Stat. of the 12th. of this King, cap. 4.

XLIII. Every Merchant Denizen or Alien shall pay for all sorts of Fish caught by *Englishmen*, and exported in *English* shipping, and whereof the Master and three fourths of the Mariners shall be *English*, no greater Customs and Subsidies than Natives of this Realm pay. Continued per Stat. 2. W. & M. cap.

cap. 4. Continued per Stat. 6 W. & M. cap. 1. §. 3. Continued per Stat. 8 & 9 W. 3. till 1 Aug. 1706. Continued per 1 Anne cap. 13. till 1 Aug. 1710.

XLIV. Stat. 29 Car. 2. cap. 6. All Persons that between the 14th of June, 1641. and the 24th of March, 1660. were born out of the Kings Dominions, and whose Fathers or Mothers were natural born Subjects of this Realm, are hereby declared the Kings natural born Subjects to all Intents and Purposes, as if born in England.

XLV. Provided that no Persons (other than some expressly named in this Act) shall have benefit thereby, unless within Seven years next ensuing they receive the Sacrament of the Lords Supper, and within a month after take the Oaths of Allegiance and Supremacy in some of the Kings Courts at Westminster, and deliver into such Court a Certificate of such their receiving, and make proof thereof by Witnesses *viva voce* upon Oath.

XLVI. Any Persons having received the Sacrament, and made proof thereof by Certificate and Witnesses, and taken the said Oaths in any of the said Courts *ut supra*, shall be admitted to make proof of such his qualification by Witnesses *viva voce* upon Oath, and shall thereupon have a Certificate under the Seal of the said Court, to be likewise Enrolled there, and for ever after upon shewing such Certificate or Enrolment shall have the full benefit of this Act.

Amendments.

I. Stat. 14 E. 3. 6. Stat. 1. A Process which is defective by Misprision of a Clerk, in one Syllable or Letter too much or too little, shall be amended without giving advantage to the Party challenging the same.

II. Stat. 9 H. 5. 4. The Justices before whom such default shall be found in any Record or Process may amend the same as well after Judgment as before, so long as such Record or Process shall continue before them.

III. Stat. 4 H. 6. 3. The Statute of 9 H. 5. 4. is made perpetual; provided it shall not extend to Records or Process in Wales, or whereby any Person is Outlawed.

IV. Stat. 8 H. 6. 12. No Judgment or Record shall be reversed or annulled for Error assigned by reason of the razing or interlining of any Record, Process, Warrant, Writ, Pannel, or Return; or of any Addition, Substraction or Diminution of Words, Letters, Titles, or Parcels of Letters found in the same.

V. The Judges may reform all Defects in any Record, Process, Wards, Plea, Warrant, Writ, Pannel, or Return; (except Appeals, Indictments of Treason or Felony, and the Outlawries of the same, and the Substance of the proper Names, Surnames, and Additions, left out in Original Writs, Exigents, and in other Writs

Writs of Proclamation, contrary to the Statute of 1 H. 3. 3. which see in *Addition*) so that by such Misprision of the Clerk no Judgment shall be reversed or annulled.

VI. Variance alledged between a Record and the Certificate thereof, shall be amended by the Judges.

VII. Imbezelling of a Record is Felony.

VIII. If a Record, Process, Writ, Warrant, Pannel, Return, or any parcel thereof, be exemplified under the Great Seal, and enrolled; for any Error assigned in the said Record, &c. in any Letter, Word, Clause or Matter varying, or contrary to the Exemplification and Enrolment, there shall be no Judgment reversed or annulled.

IX. Stat. 8 H. 6. 15. The Justices may amend the Misprision and Defaults of Clerks of the Court, or of Sheriffs, their Clerks, and of all other Officers whatsoever, found before them in any Record or Process, or the Return of the same by reason of Writing one Letter or one Syllable too much or too little, except in Records and Processes within *Wales*, and of Felonies and Treasons, and the Dependants of the same.

Amerciements.

I. *Magna Charta*, cap. 14. 9 H. 3. A Freeman shall not be amerced for a small Fault, but according to the manner thereof, and for a great Offence according to the quantity thereof, saving to him his Contentment (or *Countenance*) and a Merchant saving his Merchandize, and any Villain (except the Kings) shall be amerced saving his Wainage; and such Amerciements shall be assessed by lawful Men of the Vicinage. Peers also shall be amerced by Peers according to their Offence. Also Churchmen shall be amerced according to their Lay-tenement, and the quantity of their Offence, and not according to their Spiritual Benefice.

II. *Parlb. cap.* 18. 52 H. 3. No Escheator, Commissioner, or Justice assigned to take Assises, or to hear or determine Matters, shall have power to amerce for default of common Summons, but the Chief Justices, or the Justices in Eyre in their Circuit.

III. *West.* 1. cap. 6. No City, Borough, Town, or Man shall be amerced without reasonable cause, and according to the trespass, viz. every Freeman saving his Freehold, a Merchant saving his Merchandize, a Villain saving his Wainage, and that by his or their Peers. See *Fines*.

Appearance.

I. Stat. 10 H. 6. 4. No Filizer, Exigent, or other Officer whatsoever, in any Suit shall make Entry, that the Plaintiff ob-
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tulit se in propria persona sua; unless the Plaintiff, before such Entry made, doth (indeed) appear in proper Person before some of the Justices of the place where the Plea depends, and (either by himself, or some other credible Person of his Counsel) make Oath, that he is the same Person in whose name that Suit is prosecuted. This Act to continue to the next Parliament.

II. Stat. 18 H. 6. 9. The Statute of 10 H. 6. 4. is made perpetual.

III. No Officer contained in the Statute of 10 H. 6. 4. shall do to the contrary thereof, in pain to forfeit 40 s. to the King for every time that he shall be attainted thereof, by due examination of any of the Justices before whom the Entry or Record is.

IV. Every Attorney who hath not his Warrant entred upon Record, in all Suits wherein Process of *Capias* and *Exigent* are awardable, the same Term in which the *Exigent* is awarded, or before, and is therefore attainted by like Examination, for every time he so offendeth shall incur the pain aforesaid.

Appeals.

I. *Magna Charta*, cap. 34. 9 H. 3. No Man shall be taken or imprisoned upon the Appeal of a Woman, for the death of any other than her Husband.

II. *West.* 1. c. 14. 3 E. 1. The Accessory in an Appeal shall not be Outlawed before the Principal be attainted: Howbeit none shall intermit to commence their Appeal at the next County, as well against the Accessory as against the Principal: but the *Exigent* against those shall remain, until those be attainted by Outlawry or otherwise.

III. Stat. *Glouc.* c. 11. 9 E. 1. If the Appellor declare the Deed, the Year, the Day, the Hour, the Time of the King, and the Town where the Fact was done, and with what Weapon, the Appeal shall stand, and shall not be abated for default of fresh Suit, so that he sue within a year and a day after the Fact.

IV. *West.* 2. 12. 13 E. 1. Upon a false Appeal by Malice the Appellor shall suffer a years Imprisonment, make fine to the King, and recompense Damages to the Appellant at the discretion of the Justices.

V. When the Appellor is not able to satisfy Damages, and an Abettor (through Malice) is also found by the same Inquest, such Abettor shall also be punished by Imprisonment, and Restitution of Damages, as before.

VI. *Articuli Cleri*, cap. 10. 9 E. 2. Thieves and Appellors (whensoever they will) may confess their Offences to Priests: but let the Confessors beware that they inform them not erroneously.

VII. Stat. of Appeals, 28 E. 1. When any are Appealed by Provers, the Sheriff shall by the Kings Writ, under the testi-

mony of the Justices that delivered those Provers, bring such Appeals to the Goals where the Provers or Appellors are kept; to answer before the same Justices: and if the Appealees will be tried by the County, the Sheriff shall also by a judicial Writ from the same Justices cause an Inquest to appear.

VIII. The Sheriff and others (in whose custody such Appellors are kept) shall receive such Appealees without contradiction.

IX. Stat. 1 H. 4. 14. All Appeals of things done within the Realm shall be tried by the Laws thereof; and of those done out of the Realm, by the Constable and Marshal of *England* for the time being.

Appeals to Rome.

* I. Stat. 24 H. 8. 12. All Causes Testamentary, and of Matrimony, Divorces, Rights of Tithes, Oblations and Obventions, shall be adjudged within the Kings Authority, and not elsewhere.

II. The Prelates of this Realm may execute all Sacraments, Sacramentals, Divine Service, and all other things, to the Kings Subjects, which they ought to do, notwithstanding any Appeal to *Rome*, or any other Foreign Power whatsoever.

III. If any Spiritual Person for fear of any Foreign Power shall refuse so to do, he shall make fine and ransom at the Kings pleasure.

IV. Whosoever procureth from the See of *Rome*, or any other Foreign Court, any Appeals, Process, Sentences, &c. shall incur a *Premunire*, provided by the Statute of 16 R. 2. 5. Which see in *Proviso* 8.

V. Appeals in Cases Ecclesiastical shall be sued from the Archdeacon, or his Official to the Bishop Diocesan: and when the Cause is commenced before the Bishop Diocesan or his Commissary, within 15 days after Sentence, an Appeal may be made from thence to the respective Archbishop of the Province, to be there definitely adjudged.

VI. When the Cause is commenced before an Archdeacon of any Archbishop or his Commissary, the Appeal may be made within 15 days after Sentence to the Court of Arches or Audience, of the same Archbishop; and from the Arches or Audience, within 15 days after Sentence there, to the Archbishop himself, to be finally determined, without any further Appeal.

VII. When the Cause is commenced before the Archbishop himself, it shall be there determined without any further Appeal, saving to the Archbishop and Church of *Canterbury* the due Privilege heretofore used.

VIII. When the Cause or Suit concerns the King, the Party grieved may (within Fifteen days after Sentence) appeal from any

Apprentice, Appropriations, Approvements. 29

any of the said Courts to the Prelates Assembled (by the Kings Writ) in the Convocation being, or next ensuing, in the Province where the Suit was begun; and there it shall be finally determined.

IX. If any shall hereafter pursue any Appeal contrary to this Act, or shall refuse to obey it, he shall incur a *Pramunire*.

Apprentice.

I. Stat. 12 H. 7. 1. The makers of Worstedes, Says and Stamins in *Norfolk* are enabled to take Apprentices, and any person may also put Apprentices unto them; so that they keep not above two Apprentices (at most) at one time.

Appropriations.

I. Stat. 15 R. 2. 6. In every Licence made in Chancery of the Appropriation of any Church, this shall be contained, viz. That the Diocesan shall ordain (according to the value of such Churches) a convenient sum to be yearly distributed out of the profits thereof to the poor of the Parish by the Appropriators and their Successors for ever; and also that the Vicar shall be sufficiently endowed.

II. Stat. 4 H. 4. 12. The Statute of 15 R. 2. 6. shall be duly executed, and Appropriations made since that Statute contrary thereunto shall be reformed before *Easter*, or else to be void, except *Haddenham* in the Isle of *Ely*.

III. All Vicarages annexed or appropriated since 1 R. 2. shall be void.

IV. In every Church so appropriate a secular person shall be ordained Vicar, canonically instituted and inducted in the same, and conveniently endowed, (by the discretion of the Ordinary) to do Divine Service, inform the people, and keep hospitality there, (except *Haddenham* aforesaid,) and no Religious shall be hereafter made Vicar in any Church so appropriate.

Approvements.

I. *Merton. cap. 4. 20 H. 3.* Lords of Wastes or Commonable woods or pastures may approve against their Tenants part thereof, so that they leave sufficient Common besides, together with free egress and regress to enjoy the same: and the truth thereof shall be enquired by Assise, wherein damages shall be given to the Plaintiff, if he recover, and the disseisors shall be amerced.

II. *West. 2. cap. 46. 13 E. 1.* The Statute of *Merton* shall not only bind the Lords Tenants, but neighbours also which claim Common of Pasture as appurtenant to their Tenements: but if any claim Common by special Feoffment or Grant for a certain number

number of Beasts, or otherwise, which is due to him of common right, he shall recover the same according to the Form of such Grant.

III. By occasion of a Wind-mill, Sheep-cote, Dairy, enlarging of a Court necessary, or curtilage, none shall be grieved by Assise of *Novel disseisin* for Common of Pasture.

IV. If any (upon just title of approvement) do make a ditch or hedge for that purpose, which afterwards is thrown down by some who cannot be discovered by verdict of the Assise or Jury, and the Towns adjoining will not indict such as are guilty of the Fact; in such case the said Towns shall be distrained to level again such ditch or hedge at their own costs, and shall also yield damages.

V. Stat. 3 & 4 E. 6. 3. The Statute of *Merton*, cap. 4. and *West.* 2. cap. 46. are confirmed.

VI. Upon Judgment for the Plaintiff in an Assise upon any branch of the said Statutes of *Merton* or *West.* 2. the Court shall award treble damages.

VII. This Act shall not extend to houses heretofore built upon Wastes or Commons, not having above three Acres of such waste or common-ground belonging to them, nor to any Garden, Orchard or Pond there, not exceeding two Acres; neither yet shall it cause any Person to lose or forfeit any pain or damage for the same, but such Houses and Grounds shall still stand and remain: howbeit the Owners of such Wastes or Commons may lay open so much thereof as shall exceed three Acres.

VIII. Stat. 43 El. 11. All Contracts or Bargains, made of part of such Wastes, Commons, or several Grounds, (lying in or near the same) as are subject to surrounding, between the Lords, Commoners or Owners thereof, on the one part, and the Drainers, on the other part, shall be good in law according to the manners and forms of such Contracts or Bargains.

IX. Where the Queen, her Heirs and Successors, hath an Interest in such Wastes or Commons, such Contracts or Bargains shall not bind them, unless they be written in Parchment, indented, and certified into the Chancery, and the Royal Assent thereunto first obtained, and signified under the Privy or Great-Seal, when the Wastes or Soils are of the possessions of the Crown; but under the Seal of the Duchy of *Lancaster*, and enrolled in that Court, when they are of that kind.

X. This Act shall not impair or take away the Interest of such Lords, Commoners, or Owners, in any part of the residue of the Wastes or Commons not assigned to the said Drainers, or any Franchise or Liberty; but that the same may be lawfully used, as if this Act, or such Contract or Bargain, had not been made.

XI. This

XI. This Act not to be prejudicial to Ports or Havens, neither shall it be put in execution within eight miles of *Tarmouth*, or six miles of *Lynne*.

 Armour, Arms.

I. Stat. 7 E. 1. It belongeth to the King to prohibit force of Arms, and all other force against the peace, and to punish Offenders therein according to the Law : and herein every Subject is bound to be aiding.

II. Stat. 1 E. 3. Stat. 2. 5. None shall be charged to Arm himself otherwise than was used in the time of the Kings Progenitors ; neither yet shall any be compelled to go out of his Shire, but when necessity requireth, and the sudden coming of strange Enemies into the Realm : And then it shall be done as in times past for the defence of the Realm.

III. Stat. 2 E. 3. 3. None shall come with Force and Arms before the Kings Justices, or other his Ministers, nor go or ride Armed in affray of Peace, in pain to forfeit their Armour, and to suffer Imprisonment at the Kings pleasure.

IV. Justices of Peace, and other Officers, have power to put this Act in Execution, and the Justices of Assize shall enquire of their default in that behalf.

V. Stat. 7 R. 2. 13. None shall ride in Harness contrary to 2 E. 3. 3. in pain to Forfeit the same.

VI. Stat. 20 R. 2. 13. The Statutes of 2 E. 3. 3. 7 R. 2. 13. shall be duly observed, upon the pains contained in the said Statute of 2 E. 3. 3. and beside to make Fine to the King.

VII. Stat. 31 El. 4. To imbezil 20 s. worth of the Queen or her Successors Ordnance, Munition, or Victual provided for War, for lucre, or with purpose to hinder the Service, is adjudged Felony, if prosecuted within the year.

VIII. This offence shall not cause corruption of Blood, nor loss of Dower, only the Offender shall Forfeit his Lands, during his life.

IX. The Defendant may produce Witnesses for his Discharge.

X. Stat. 1 Jac. 2. cap. 8. It shall not be lawful, without Licence from the King, to import by way of Merchandize Gunpowder, Arms, Ammunition, or Utensils for War, on pain to Forfeit the same ; and the Importers, or they in whose custody any such Gunpowder, &c. shall be found, shall Forfeit treble the value thereof ; one moiety to the King, the other moiety to the Prosecutor.

XI. If any shall obtain Letters Patents for the sole making or importing any Gunpowder, Arms, &c. and put the same in execution ; or shall obtain any Letters Patents for the Importing Gunpowder, Arms, &c. by way of Merchandize, other than for furnishing the Kings Publick Stores ; such Offenders shall

Arrests, Arrow-Heads, Assault.

sustain the Pains, Penalties, &c. of the Stat. of *Pram.* made *Ann.* 16 R. 2. and be disabled to hold any Office or Employment under his Majesty; and such Letters Patents shall be void, any Clause of *Non obstante*, or other provision therein notwithstanding.

See more in Title Militia.

Arrests.

I. *West.* 1. *cap.* 35. 3 *E.* 1. None (except the Kings Ministers) shall within a Liberty Arrest any Person passing through the same, and holding nothing thereof, for any Contracts, Covenants, or Trespasses made or done out of such Liberty, in pain to pay double Damages to the party grieved, and a Fine to the King.

II. *Stat.* 50 *E.* 3. 5. None shall Arrest Clerks, or other persons of holy Church, doing Divine Service, in pain of grievous Forfeiture, so that Collusion be not found in any such Persons or Clerks.

III. *Stat.* 1 R. 2. 15. None shall Arrest such Persons or Clerks doing Divine Service, in pain of Imprisonment, and to be ransomed at the Kings will.

Arrow-Heads.

* I. *Stat.* 7 *H.* 4. 7. All Heads for Arrows and Quarrels shall be well boiled or brazed, and hardened at the point with Steel, in pain to Forfeit them, be Imprisoned, and make Fine at the Kings will.

II. Such Arrow-Heads and Quarrels shall be marked with the proper mark of the Maker.

III. Justices of Peace shall have power to punish such as make defective Arrow-Heads and Quarrels.

Assault.

* I. *Stat.* 5 *H.* 4. 6. If any Assault the Servant of a Knight or Burgefs of Parliament, Proclamation shall be made that he render himself into the Kings-Bench within a Quarter of a year: which if he do not, he shall be Attainted of the Fact, and pay double Damages to the party grieved, to be Taxed by the discretion of the Justices, or by inquest, if need be; and besides, shall make Fine and Ransom at the Kings will.

II. *Stat.* 11 *H.* 6. 11. The like provision is made against Assaults made upon any Member of either House of Parliament, or of any other Council assembled by the Kings command; only if it be not Term-time, he shall then appear the first day of the Term following that Quarter, and upon appearance, shall be proceeded against as before.

Articles.

Assises.

I. *Magna Charta*, cap. 12. 9 *H. 3.* Assises of *Novel disseisin*, and *Mortdancer* shall be taken in their proper Shires in this manner : The King or (in his absence out of the Realm) the Chief Justices, shall once a year send the other Justices through every County, to take together with the Knights of the Shire such Assises in those Counties, and such things as cannot be there determined, shall be ended elsewhere in their Circuits : also difficult matters shall be referred to the Justices of the Bench, to be there determined.

II. *West. 1 cap. 24. 3 E. 1.* If any Escheator, Sheriff, or other Bailiff of the King, do by colour of his Office, without special Warrant pertaining to his Office, disseise any man of his Free-hold, or any thing belonging thereunto, it shall be in the election of the disseisee, whether the King by Office shall cause it to be amended upon complaint, or that he will sue by Writ of *Novel disseisin*, wherein if the Disseisor be attainted, the Disseisee shall recover double Damages, and the Disseisor shall also be grievously amerced to the King.

III. *West. 1 cap. 37. 3 E. 6.* If any be attainted of *Disseisin* done in the now Kings time with Robbery of Goods or otherwise, the Disseisee by Assise of *Novel disseisin* shall recover his Seisin and Damages, and the Disseisor (whether present or not) shall make Fine, and if present, shall be committed.

IV. *West. 1 cap. 51. 3 E. 1.* Assises of *Novel disseisin*, *Mortdancer*, and *Darrein presentment*, shall be taken in *Advent*, *Septuagesima*, and *Lent*, as well as Inquests, and that at the special request of the King made to the Bishops.

V. *West. 1 cap. 25. 13 E. 1.* For Estovers of Wood, profit to be taken in Woods, Corrody, delivery of Corn, and other Victuals and Necessaries to be received yearly in a certain Place, Toll, Tonnage, Passage, Pontage, Pawnage, and the like, to be taken in places certain, keeping of Parks, Woods, Forests, Chases, Warrens, Yates, and other Bailiwicks and Offices in Fee, an Assise of *Novel disseisin* shall be, and in such cases the Writ shall be (as in other cases) *De libero tenemento*.

VI. It shall also be for Common of Turf-land, Fishing, and such like Common appendant to Free-hold, or by special Deed, (as heretofore held place for Common of Pasture) provided the Estate therein be (at least) for life.

VII. If any holding for years or inward Alien the Fee, remedy shall be had by this Writ, and both the Feoffers and Feoffees shall be had for Disseisors : so that during the life of any of them the said Writ shall hold place ; and if they die, the remedy shall be by Writ of *Entry*.

VIII. The giving of this Writ in new cases shall not diminish the force thereof in those wherein it had force before ; and remedy

medy also shall be had thereby in case where one feedeth in the Several of another.

IX. In this Suit if the Defendant fail to make good the exception which he pleads, he shall be adjudged a Disseisor without taking the Assise, and shall give to the Plaintiff double Damages, both inquired and to be inquired; and besides shall suffer a years Imprisonment.

X. If such an Exception be alledged by a Bailiff, the taking of the Assise shall not be thereby delayed, nor yet the Judgment upon the restitution of the Lands and Damages. Howbeit, if the Master of such Bailiffs afterwards offer to prove to the Court by matter of Record, that there was just Exception, whereby the Plaintiff might have been barred, he shall have a *Venire facias* to produce such Record: and then, if the Justices see cause, the Plaintiff shall be warned to appear at a certain day, and the Defendant shall then have again his Seisin and Damages, and the Plaintiff shall be punished by Imprisonment at the discretion of the Justices. In like manner also shall the Justices proceed in case the Defendants proof is by Deeds or Releases; and if the Plaintiff purchased the Assise contrary to his own Deed, he shall be punished, as aforesaid.

XI. The Sheriff shall not take an Ox of the Disseisee, but of the Disseisor only, and but one Ox, though there be many Disseisors named in the Writ; and that Ox shall not exceed 5 s. in value. *Note, that 5 s. then hath now the value of 15 s.*

XII. *West. 2. 46. 13 E. 1.* Where Common of Pasture hath been usurped during Nonage, Coverture, Tenancy in Dower, by the Courtesie, for Life, Years, or in Tail, it hath been holden, that if such Possessor of Common be deforced, he ought to have Action by Writ of *Novel disseisin*; it must now be holden, that such as have entred within the time that an Assise of *Mortdancesfor* hath lain, if they had no Common before, shall not recover by Writ of *Novel disseisin*, albeit they be deforced.

XIII. *Stat. de conjunct. feoffatis, 34 E. 1.* In an Assise of *Novel disseisin*, if Joynt-tenancy be pleaded by force of a Deed, upon the Plaintiffs averment against it, the Justices shall keep the Deed until the Trial, and in the mean time shall by *Scire facias* summon the absent Joynt-Tenant to be present with the Defendant at the said Trial, and they shall there maintain the Plea, if they can. But if it shall then be proved by an Assise, that the Plea was maliciously alledged to delay the Plaintiff, albeit the Assise doth pass for the Defendants, yet he who pleadeth that Exception shall suffer one whole years Imprisonment, and shall not be enlarged without grievous Fine. And if it be found by Assise, that the Plaintiff was disseised, he shall recover Seisin and double Damages, and the trial shall go on, notwithstanding such Plea, and albeit neither of the pretended

tended Joynt-Tenants appear; howbeit Joynt-Tenancy shall not be pleaded by Bailiff.

XIV. Also in Assises of *Mortdancestor*, and *Juris utrum*, the like course shall be taken as in those of *Novel disseisin*.

XV. In other Writs likewise, whereby Tenants are demanded; save that in them the Damages are referred to the discretion of the Justices.

XVI. Stat. *Eborum*, 12 E. 2. 1. Tenants in Assise of *Novel disseisin* may make Attornies, and may also plead by Bailiffs, as in times past.

XVII. Stat. 7 R. 2. 10. An Assise of *Novel disseisin* for Rents issuing out of Lands in divers Counties, shall be taken in *Confinio Commitatus*, as is used for Common of Pasture in one County appendant to Tenements in another.

XVIII. Stat. 1 H. 4. 8. A special Assise is maintainable by the Disseisor for such Lands as are granted by the Kings Patent, without Title first found by Inquest for the King, without Suit to be made to the King in that behalf; and if the Patentee pray in Aid of the King, a *Procedendo* shall be also granted without Suit.

XIX. Here if the Assise pass for the Disseisor, he shall recover treble Damages against the Patentee.

XX. Stat. 4 H. 4. 8. If any make forcible entry into Lands by way of maintenance, the Chancellor of England shall grant a special Assise without suing to the King: and if the Assisor shall be attainted thereof, he shall suffer one whole years imprisonment, and restore double Damages to the party grieved.

XXI. Stat. 6 H. 6. 2. The pannels of Assises shall be arrayed, and an indented Copy thereof delivered by the Sheriff to the Plaintiffs, Tenants and Defendants, six days before the Sessions, if they demand the same; also Bailiffs of Franchises shall make their returns thereof to the Sheriff at the like time; upon pain to Forfeit each of them, Sheriff or Bailiff, 40*l*.

XXII. Stat. 11 H. 6. 2. In an Assise, if the Sheriff be named a Disseisor by Collusion, to the end the Writ may be directed to the Coroner, and the Assise secretly awarded by the Tenants default, upon the Plaintiffs averment thereof, and if it shall also be found by the Assise to be so, the Justices shall abate the Writ, and grievously amerce the Plaintiff.

XXIII. Stat. 21 H. 8. 3. The Plaintiff in Assise may abridge his Plaint of any part whereunto a Bar is pleaded, without prejudice to the residue.

Attainder, Attaint.

Attainder.

I. Stat. 12 Car. 2. cap. 30. An Act for the Attainder of several persons guilty of the horrid Murder of his late sacred Majesty, King Charles the First. See the Act at large. Confirmed 13 Car. 2. cap. 7.

II. Stat. 13 & 14 Car. 2. cap. 29. An Act for reversing the Attainder of the Earl of Strafford. See the Act.

III. Stat. 17 Car. 2. cap. 5. An Act for Attainting Thomas Doleman, Joseph Bamfield, and Thomas Scott, of High Treason, if they render not themselves by a day. See the Stat. at large.

Attaint.

I. West. 1. cap. 38. 3 E. 1. An Attaint is granted in Plea of Land, Free-hold, or any thing touching Free-hold.

II. Stat. De attinctis, 13 E. 2. In Attaint, if the first Jurors which shall be living appear not at the first grand Distress, or be returned to have nothing, by their absence there shall be no delay made of the other Jury. See Rast. Attaint 2.

III. Stat. 1 E. 3. 6. In a Writ of Trespass, an Attaint shall be granted by the Chancellor without speaking to the King, as well upon the Principal as upon the Damages.

IV. In all cases of Attaints, the Justices shall not lett to take the Attaints for the Damages not paid.

V. Stat. 5 E. 3. 6. Nisi prius shall be granted in Attaints, but no Essoin or Protection; and five days by the year shall be given before the Justices of the Common Bench at least.

VI. Stat. 5 E. 3. 7. Writs of Attaint shall be granted as well in Pleas of Trespass moved without Writ, as by Writ before Justices of Record, if the Damages adjudged do exceed 40 s.

VII. Stat. 28 E. 3. 8. An Attaint shall be granted as well upon a Bill of Trespass as upon a Writ of Trespass, without having regard to the quantity of the Damages.

VIII. Stat. 34 E. 3. 7. An Attaint shall lie as well in Plea real as personal, and it shall be granted to the Poor (who shall affirm that they have nothing whereof to make Fine saving their Countenance) without Fine, and to all others by easie Fine.

IX. Stat. 9 R. 2. 3. He in the Reversion shall have an Attaint, or Writ of Error, upon a false Verdict found, or an Erroneous Judgment given against the particular Tenant.

X. If the Oath be found false, or the Judgment erroneous, and the Tenant still in life, he shall be restored to his Possession and Issues, and the Reversioner to the Arrearages: but if he be dead, or be found of Covin with the demandant, the Reversioner shall have all: yet the Tenant may Traverse the Covin by Scire facias out of the Judgment or Writ of Attaint, if he please.

XI. Stat.

XI. Stat. 13 R. 2. 18. Upon a false Verdict given before the Mayor and Bailiffs of *Lincoln*, an Attaint shall be sued in the Kings Bench or Common Pleas, and the Jury shall be of the County of *Lincoln*, returned by the Sheriff of the said County.

XII. Stat. 3 H. 5. 5. By Letters Patents of *H. 4.* the name of *Bailiffs* of the city of *Lincoln* being translated to *Sheriffs*, lest it might be doubted which Sheriff ought to return the Jury in Attaint, the former Statute of 13 R. 2. 18. is explained and confirmed.

XIII. Stat. 11 H. 6. 4. The Plaintiff in Attaint shall recover against all the Jurors, Tenants and Defendants, the Costs and Damages which he shall sustain (by delay or otherwise) in that Suit.

XIV. Stat. 15 H. 6. 5. No Sheriff, Bailiff or Coroner, in Writs of Attaint of Plea of Land, or of Deeds, concerning Lands of the yearly value of 40 s. or more, or of Goods or Chattels Personal worth 40s or more, shall impanel any but such as inhabit within their Bailiwicks, and have Free-hold or Inheritance (not ancient Demesne, within the five Ports, or Gavel-kind) worth 20 l. *per ann.* and shall not return against them less Issues than 40 s. at the first Writ of Distress, 100 s. at the second, and double afterwards, in pain to Forfeit 100 l. to the King, and as much to the Plaintiff: And none but persons of that worth shall be impanelled upon Attaints, if challenge thereof be made by the Plaintiffs.

XV. If any of the Defendants plead a Foreign Plea, and fail thereof, the Justices shall give Judgment against them, as if the Grand Jury upon the Articles of the Writ had passed against them: Howbeit, the rest of the Defendants shall not be prejudiced thereby; neither shall this Act extend to Cities or Boroughs.

XVI. If there shall not be in the County (under the Degree of a Baron) enough of that worth to fill the pannel, then shall the said Officers impanel and return the most sufficient persons here under that worth, upon the like pain.

XVII. Stat. 18 H. 6. 2. Owners of Inheritance or Free-hold lands in Gavel-kind of 20 l. *per ann.* may also be impanelled upon Attaints, notwithstanding the Statute of 15 H. 6. 5.

XVIII. Stat. 11 H. 7. 21. None shall be impanelled upon a Jury in *London*, except he have Lands and Tenements, or Goods and Chattels worth 40 Marks: and if the Trial be for Lands, Debts or Damages amounting to 40 Marks, or above, his real or personal Estate shall be worth 100 Marks: and the Jurors effect herein is a principal Challenge.

XIX. The Issues of the Jurors for default of appearing shall be at the first Summons 12 d. at the second 2 s. and double afterwards: and the Issues lost in the Mayors Court shall accrue

to the Mayor and Commonalty, and those lost in the Sheriffs Court to the Sheriffs.

XX. An Attaint may be sued by Bill in the Hustings of *London*, upon any false Verdict given in any of the Courts of that City : and thereupon the Mayor shall award a Precept to every Alderman to present (either by themselves or their Deputies) unto the said Mayor at the next Hustings, the Names of four indifferent and discreet Citizens out of each of their Wards, each of them being worth in Estate 100 *l.* at least ; out of which the Mayor and six Aldermen or more, shall impanel 48, whom the Mayor shall cause to be Summoned together with the Tenants or Defendants in the Attaint to appear at the next Hustings : And if upon default of appearance or otherwise there shall need a *Tales*, the Pannel shall be supplied out of the rest presented, or by other such Citizens, at the discretion of the said Mayor and six Aldermen.

XXI. Pleas of Attaints commenced in *London*, shall be Tried there by Inquests of the same City, and not elsewhere.

XXII. In an Attaint there, no Challenge shall be for lack of sufficiency in Estate.

XXIII. The Judgment in such an Attaint shall not extend to Lands or Tenements, nor yet to other punishment of the petty Jury, or other Processes than such as are limited by this Act.

XXIV. In such an Attaint, if the Petty Jury be attainted, Judgment shall be given against the Defendant, as at the Common Law, and against the petty Jury ; to Forfeit each of them 20 *l.* or more, at the discretion of the Court, to be employed as other Penalties Forfeited before them, and to suffer six Months imprisonment, or less, at the like discretion of the Court, and to be for ever after disabled to be a Juror.

XXV. But if the Verdict be affirmed, the Grand Jury shall further enquire the corruption of the Petty Jurors : and if any of them be found to have taken any reward, or promises thereof, he shall forfeit ten times the value thereof to the Plaintiff, and shall further incur imprisonment, and disability to be a Juror, as aforesaid. The like Forfeiture also and imprisonment shall be inflicted upon the Tenant or Defendant that shall give such reward or promise : but this last Forfeiture shall accrue to the City, in manner aforesaid.

XXVI. If a Debt, Costs or Damages are recovered in the first Action (whereupon the Attaint is brought) and that Verdict found false, the Plaintiff in such Attaint may sue for restitution of such Debts, Costs and Damages, by Writ, Bill or Plaint, in any of the Kings Courts, wherein no Wager of Law shall be admitted.

XXVII. In such an Attaint, if the Plaintiff be Nonsuit, or the first Verdict affirmed, the Plaintiff shall be imprisoned, and make Fine (to the use of the City) at the discretion of the Court.

XXVIII. Where

XXVIII. Where there are one or more Plaintiffs, if any of them die, or be Non-suit, and albeit all the Tenants or Defendants, and some of the Petty Jury die, yet shall not the Attaint abate, so that two of that Jury remain in life.

XXIX. The Grand Jurors that make default, shall Forfeit for the first 40 s. for the second 5 l. and for every other afterwards 10 l.

XXX. Such Proceſs shall be made against the Jurors and Parties in this Attaint, as is usually made in Attaints at the Common Law, and shall be returnable at every Huftings.

XXXI. The Attaint shall not remain to be taken after the first Summons for the default of the Tenant or Defendant, or any of the Petty Jury; neither shall any Eſſoign be allowed in the same.

XXXII. When the Trial is to be *per medietatem linguæ*, the Mayor and Aldermen shall impannel half Strangers, worth an rool. a piece.

XXXIII. Stat. 23 H. 8. 3. Upon every untrue Verdict before Judges of Record (except where the thing in demand extendeth not to the value of 40 l. or concerneth life) the Party grieved shall have an Attaint against the Petty Jury, and also against the Party that hath the Jury thereupon.

XXXIV. The Proceſſes here shall be Summons, Reſummons, and Distress infinite, as well against the Petty Jury and Party, as against the Grand Jury, who shall be of the accustomed number, and have Lands of the yearly value of 20 Marks out of ancient Demeſne.

XXXV. The Distress shall be awarded 15 Days before the Return thereof, and shall be made upon the Land of every one of the Grand Jury, as is used in other Distresses.

XXXVI. Albeit the Defendant, or Petty Jury, or some of them appear not, yet the Grand Jury shall proceed.

XXXVII. If any of the Petty Jury appear, the Plaintiff shall assign the false Seerment, whereunto the Petty Jury shall have no other answer (if they be the same Persons, and the Writ, Proceſſes, Return and Assignment be good) but that they be made true Seerment, which shall be tried by 24 of the Grand Jury, unless the Plaintiff hath before been Non-suit, or discontinued his Suit, or had Judgment against the same Jury for the same Verdict.

XXXVIII. Howbeit the Defendants may plead that they gave a true Verdict, or any other matter which may Bar the Attaint: but notwithstanding such Plea, the Grand Jury shall nevertheless enquire whether the first Jury gave a true Verdict or no.

XXXIX. If the Petty Jury be found to have given an untrue Verdict, they shall each of them forfeit 20 l. to be divided betwixt the King and the Plaintiff, and incur severally Fines at the

the discretion of the Justices, and be ever after disabled to give Testimony in any Court.

XL. If the Defendants Plea in Bar be found against him, the Plaintiff shall have Judgment to be restored to that he lost, with his reasonable Costs and Damages.

XLI. Outlawry or Excommunication shall be no Plea against the Plaintiff in Attaint; and in the aforesaid Process such Day shall be given as in Dower, but no Essoign or Protection allowed.

XLII. If the Grand Jury appear not, so that the Petty Juries Verdict remains untried, the Defaulters shall upon the first Distress Forfeit 20 s. upon the second 40 s. and upon every default after 5 l. The like Penalty is also to be inflicted upon the *Tales*.

XLIII. The Attaint is maintainable so long as any two of the Petty Jury are alive.

XLIV. An Attaint shall also lie for a personal thing under the value of 40 l. in manner aforesaid; save only that in such case the Grand Juror is to have Lands worth 5 Marks *per ann.* (out of ancient Demesne) or to be worth an 100 Marks in Goods; and the Forfeiture of each Petty Juror shall be but 5 l.

XLV. For want of sufficient Jurors in one County, a *Tales* shall be awarded into another County at the discretion of the Justices.

XLVI. An Attaint shall also lie for him in Reversion or Remainder. And also in Attaint if the Plaintiff be Non-suit, or discontinue the Suit, he shall be Fined at the discretion of the Justices.

XLVII. All Attaints shall be hereafter taken in the Kings Bench or Common Pleas, and not elsewhere; and *Nisi prius* shall be granted upon the Distress at the discretion of the Justices: also any of the Petty Jury may appear, and answer by Attorney.

XLVIII. As concerning the Forfeitures, the several moieties shall be recovered by the King and parties respectively by *Ca. sa.* or *Fi. fa.* or *Elegit*, or Action of Debt against each of the Petty Jury, their Executors or Administrators, having then sufficient Goods of the Testators not Administred.

XLIX. Judgment and Execution of Restitution to the Plaintiff, and of discharge of restitution to the Tenant or Defendant, shall be given and had as in case of a Grand Attaint hath been used.

L. The Non-suit or Release of one Plaintiff shall not prejudice his Companions.

LI. In every Writ of Attaint after the *Teste*, these words shall be inserted, *Per Statutum continuatum usque annum 23 H. 8. Dei gratia*, &c.

LII. This Act shall not be prejudicial to the Statute of 11 H. 7. 21. but every Man for an untrue Verdict in London may bring an Attaint upon this or that, at his pleasure.

LIII. Stat.

LIII. Stat. 37 H. 8. 5. Citizens of *London* being worth 400 Marks in personal Estate, may be impannelled and returned by the Sheriffs of *London* upon Attaints there, albeit they have no real Estates, notwithstanding the Statute of 23 H. 8. 3.

LIV. The Justices shall hereafter sit upon Attaints in *London* at *Guildhall*, or some other convenient Place in that City, and not elsewhere: neither shall the Citizens there be compellable to appear upon any such Attaint in any other place, notwithstanding the said Statute of 23 H. 8.

Attorney.

I. *Merton, cap. 10. 20 H. 3.* Every Freeman that oweth Suit to the County, Tithing, Hundred or Wapentake, or to a Court; Baron, may make an Attorney to do his Suit for him.

H. *West. 2. cap. 10. 13 E. 1.* Any Person may make a general Attorney to sue in all Pleas, during the Circuit of Justices in Eyre: howbeit that shall not excuse the Party from being put upon Juries and Assises before the same Justices.

III. Stat. 7 R. 2. 14. They who shall depart the Realm with the Kings Licence, may before their departure have a Patent from the Chancellor (with the advice of the Justices) enabling them to make general Attornies to answer for them in Writs of *Pramunire facias*, and all other Writs and Plaints; in which Patent particular mention shall be made of Writs and Plaints of *Pramunire facias*: and those Attornies may make Attornies under them.

IV. Stat. 4 H. 4. 18. All Attornies shall be examined by the Justices, and by their discretion put into the Roll.

V. Those that are by them approved, shall swear truly to serve in their Offices, and to make no Suit in a Foreign County. An insufficient Attorney shall be put out by the like discretion of the Justices; and their Masters or Clients shall have notice thereof, lest they be prejudiced thereby.

VI. As any die or cease, the Justices shall appoint others, being virtuous, learned, and sworn, as aforesaid.

VII. If any Attorney be found notoriously in fault, he shall forswear the Court, and be never admitted into any other Court.

VIII. The Treasurer and Barons of the Exchequer shall pursue the like course there at their discretion.

IX. Stat. 4 H. 4. 19. No Officer of a Lord of a Franchise which hath return of Writs, shall be an Attorney in the same.

X. Stat. 7 H. 4. 13. Impotent Persons that are Outlawed may make their Attorney: Howbeit, in the Writ of *Capias ad satisfac*: the Common Law shall still hold place.

XI. Stat. 33 H. 6. 7. There shall be but Six Common Attornies in *Norfolk*, Six in *Suffolk*, and Two in *Norwich*, if that shall seem

seem reasonable to the Justices. *But it seems the Justices did not think it reasonable, because this Act was never yet put in ure.*

XII. Stat. 32 H. 8. cap. 30. Every Attorney shall enter his Warrant of Attorney in every Suit upon Record in Court, on pain of 10 *l.* and further punishment by Imprisonment at the discretion of the Court.

XIII. Stat. 3 Jac. 1. 7. An Attorney, Solicitor, or Servant to any, shall not be allowed any Fees laid out for Counsel, or otherwise, unless he have Tickets thereof signed by the hand of them that receive such Fees; and he shall also give unto his Client true Bills of all the Charges of Suit under his own hand, before he can charge his Client with the payment thereof.

XIV. If he delay his Clients Suit for Gain, or demand by his Bill more than his due Fees and Disbursements, the Client shall recover against him his Costs and treble Damages, and he himself shall be for ever after disabled from being an Attorney or Solicitor any more.

XV. None shall be admitted Attornies in Courts of Record, but such as have been brought up in the same Courts, or otherwise well practised in Solliciting of Causes, and also skilful, and of honest disposition: and none but such shall be hereafter suffered to Sollicit Causes in any Court.

XVI. An Attorney shall not admit any other to follow a Suit in his Name, in pain that each of them shall Forfeit 20 *l.* to be divided betwixt the King and Party grieved.

Avowry.

I. Stat. 21 H. 8. 19. Upon a Replevin sued, an Avowry may be made by the Lord, or Conusance, and Justification by his Bailiff or Servant, upon the Land holden of the said Lord, without naming any person certain to be Tenant thereof. The like Law is also upon every Writ sued of second deliverance.

II. In any *Replegiare* or second deliverance for Rents, Customs, Service, or Damage Feasant, if the Avowry, Conusance or Justification be found for the Defendant, or the Plaintiff be Non-suit, or otherwise barred, the Defendant shall recover such Damages and Costs as the Plaintiff should have had if he had recovered.

III. Both Parties shall in such Writ have like Pleas, Aid-prayers, and Joinders in Aid, as at Common Law, notwithstanding this Act; Pleas of *Disclaimer* only excepted.

IV. Stat. 17 Car. 2. cap. 7. When a Plaintiff shall be Non-suit before Issue in any Suit of Replevin, removed or depending in any of the Courts at *Westminster*, the Defendant making Suggestion in the nature of an Avowry for Rent, the Court upon his Prayer, shall award a Writ to the Sheriff to enquire of the Sum in Arrear, and the Value of the Distress, whereupon notice

notice of 15 days shall be given the Plaintiff, or his Attorney in Court, of the sitting of such Enquiry, upon return of which Inquisition the Defendant shall recover the Arrears, if the Distress amount to that value, else the value of the Distress with Costs, and shall have Execution thereupon by *Fieri facias* or *Elegit*, or otherwise as the Law shall require.

V. If such Plaintiff be Non-suit after the Avowry and Issue joyned, or if the Verdict be against him, the Jury at the Defendants Prayer shall enquire, *ut supra*, and the Avowants recover, *ut supra*.

VI. If Judgment be upon Demurrer for such Avowant, the Court at the Defendants Prayer shall award a Writ to Enquire the value of the Distress, whereupon he shall have Judgment, *ut supra*.

VII. Where the Distress shall not be found to be to the value of the Arrears, the Party may distrain for the residue.

VIII. Stat. 19 Car. 2. cap. 5. The Act of 17 Car. 2. cap. 7. shall be of Force in all Causes of Replevin in the Court of Common Pleas for the County Palatine of Lancaster, the Court of the Great Sessions of Wales, the Court of the Great Sessions for the County Palatine of Chester, and the Court of Common Pleas for the County Palatine of Durham.

Banks.

I. **M**agna Charta, 9 H. 3. 15. No Town or Freeman shall be distrained to make Bridges or Banks, but such as of old time have used to make them in the time of King Henry our Grandfather.

II. Magna Charta, 9 H. 3. 16. No Banks shall be defended from henceforth, but such as were in defence in the time of King Henry our Grandfather, by the same Places and Bounds as in his time.

III. Stat. 27 Eliz. 24. Justices of Peace in Norfolk shall take Order for the Repair of Sea-Banks and Sea-Works within the same County.

IV. Every Person shall be charged towards the Repair of Sea-Banks, as they are chargeable towards High-ways.

V. The High Constables shall be Surveyors of that Work.

VI. Those charged towards Sea-works shall be discharged towards the Amendment of High-ways.

Bankrupts. —

I. Stat. 34 H. 8. 4. The Lord Chancellor, Treasurer, &c. shall take order with the Bankrupts Bodies, Lands and Goods, for the

the payment of their Debts. *But this was altered by the ensuing Statutes.*

II. Stat. 13 Eliz. 7. If any Person (Subject or Denizen) exercising Trade, doth depart the Realm, conceal him or her self, take Sanctuary, suffer him or her self to be Arrested, Outlawed or Imprisoned without just cause, to the intent to defraud Creditors, being also Subjects born, he shall be deemed a Bankrupt.

III. The Lord Chancellor or Keeper, upon a Complaint in Writing against any such Bankrupt, may appoint honest and discreet Persons to take such order with the Body of such Bankrupt, wheresoever found, and also with the Lands (as well Copy as Free) Hereditaments, Annuities, Offices, Writings, Goods, Chattels and Debts wheresoever known, which the Bankrupt hath in his own right, with his Wife, Child or Children, or by way of Trust to any secret use; and to cause the said Premises to be searched, rented, appraised, and sold, for the payment of the Creditors rateably according to their Debts, as in the discretion of such Commissioners (or the most part of them) shall be thought fit.

IV. The Vendees of Copyhold-Lands shall compound with the Lord for their Fines, and then shall be admitted, and make Fealty according to the Custom of the Manor.

V. Such of the Commissioners as execute the Commission shall (upon the Bankrupts request) render him an account, and also the Overplus (if any be) unto him, his Executors, Administrators, or Assigns.

VI. The Commissioners have power to convene before them any Person accused or suspected to have any of the Bankrupts Goods, Chattels or Debts, to be indebted unto him, and for discovery thereof, to examine upon Oath or otherwise, as they (or the most of them) shall think fit.

VII. The Person refusing in that behalf to disclose or swear, shall Forfeit the double value of the Goods, Chattels or Debts so concealed, to be ordered and employed by the Commissioners, or the most part of them.

VIII. The Person demanding or detaining any of the Bankrupts Lands, Goods, Chattels or Debts (not justly due) shall Forfeit the double value, to be levied, recovered and employed, as aforesaid.

IX. If after all the Creditors are paid out of the Bankrupts Estate, and the Forfeitures, any Surplusage shall remain, it shall be by the Commissioners divided betwixt the Queen, Her Heirs and Successors, and the Poor of the Place where such Bankrupt happens to be.

X. If any Person indebted absent himself from his usual Place of Abode, upon complaint the Commissioners (or the most part of them) shall award Five Proclamations to be made upon

Five

Five fundry Market days near the said Place, commanding him to render himself to the Commissioners, or one of them; which if he do not within convenient time, he shall be adjudged out of the Queens Protection; and the Party wittingly receiving or concealing him, shall (upon information of the Commissioners, or the most part of them) suffer such Imprisonment, and pay such Fine, as the Lord Chancellor or Keeper shall think fit.

XI. The Creditor not fully satisfied by this means, may (notwithstanding this Act) take his course at Law against the Bankrupt for the residue of his Debt.

XII. The Estate which happeneth to the Bankrupt by Purchase or Descent after he becomes a Bankrupt, shall also be extendable by the Commissioners, or the more part of them.

XIII. This Act shall not extend to annual Estates of Land (Free or Copy) by him conveyed before he became Bankrupt, so that they were so conveyed *bona fide*, and not to such as were privy to his fraudulent purpose.

XIV. Stat. 1 Jac. 1. 15. Every Subject born, or Denizen, who using Trade shall depart the Realm, keep House, absent him or her self, take Sanctuary, suffer him or her self to be Arrested, for Debt not justly grown due, to be Outlawed, Imprisoned, fraudulently procure his Person to be Arrested, or Goods Attached, depart from home, make any fraudulent Grant of Lands or Goods, with intent to deceive his other Creditors, being Subjects born, or being Arrested lie in Prison Six Months or more, shall be adjudged a Bankrupt.

XV. The Bankrupt hereby described shall be proceeded against as is limited by the Stat. of 13 El. 7. in like manner as if he had been there so fully described.

XVI. Any Creditor shall be received to take his part, if he come in within Four Months after the Commission sued out, and pay his part of the Charge; otherwise the Commissioners may proceed to Distribution.

XVII. If a Bankrupt grant his Lands or Good, or transfer his Debt into other Mens Names, except to his Children upon Marriage (they being of Age to consent) or upon valuable consideration, the Commissioners may (notwithstanding) sell them, and such Sale shall be good.

XVIII. If upon warning in Writing left three times at the most usual Place where he dwelt within one year before he became Bankrupt, he appear not before the Commissioners, they may cause him to be proclaimed at some Publick Place or Places: and if upon Five such Proclamations he yield not himself, they shall by Warrant cause him to be brought before them to be examined concerning his Estate, &c.

XIX. If the Bankrupt shall refuse to be examined, the Commissioners shall commit him until he conform: or if being examined he commit Perjury in prejudice of the Creditors to the value

value of 10*l.* or more, he shall be Indicted for the same, and after Conviction stand upon the Pillory, and have one of his Ears nailed thereto, and cut off.

XX. If any Person be known or suspected to detain any of the Bankrupts Estate, and do not appear, or send some lawful excuse at the next Meeting after warning given him, or, appearing, refuseth to be examined upon Oath, the Commissioners by Warrant shall cause him to be Arrested, and if he still refuse, shall commit him until he submit.

XXI. The Witnesses shall have convenient Charges allowed them rateably by the Creditors; and such of them as shall be perjured, and their Procurers, shall be indicted upon the Statute of 5 *El.* 9. which see in *Perjury*.

XXII. The Forfeitures of this Act shall be recovered by the Creditors, and (the Costs of Suit deducted) shall be rateably divided amongst them.

XXIII. The Commissioners have power to assign the Bankrupts Debts to the Creditors, and by such Assignment they shall be recoverable by the Creditors, as their proper Debts.

XXIV. No Debtor shall be prejudiced by payment of his Debt to the Bankrupt, before he have notice that he is Bankrupt.

XXV. The Commissioners shall make such Account to the Bankrupt, and likewise pay him the overplus, as by 13 *El.* 7. is ordained; and the Creditors being all satisfied, the Bankrupt may recover the remaining Debts.

XXVI. If any of the Commissioners, or other Person employed by them, be sued for any Act done by force of the Commission, the Defendant may plead *Not guilty*, or justify, and the whole matter shall be brought in Evidence, according to the very truth thereof; and if the Verdict pass for the Defendant, he shall have his Costs.

XXVII. The Commissioners shall proceed to Execution notwithstanding the death of the Bankrupt.

XXVIII. Stat. 21 *Jac.* 1. 19. All Laws made against Bankrupts shall be beneficially construed for the Creditors.

XXIX. All Persons of Trade, and Scriveners that procure Protection (except of Parliament) and all such as by exhibiting Petitions endeavour to compel their Creditors to take less than their due Debts, or to gain time for the payment thereof, or being indebted in 100*l.* or more, shall not satisfy the same within six Months after the same grows due, and their Debtor arrested, or within six Months after the original Writ sued out, and notice given thereof, or left in Writing at the Place of his Abode, or after Arrest lie six Months in Prison, or escape out of Prison, or procure Enlargement by putting in Common Bail, shall be adjudged a Bankrupt; and in case of Arrest or Imprisonment, from the time of the Arrest,

XXX. Com;

XXX. Commissions and other Proceedings provided by 13 *El.* 7. and 1 *Jac.* 1. 15. shall be also pursued against him that is described to be a Bankrupt by this Act; and Proceedings provided by this Act shall be pursued against him that is described to be a Bankrupt by 13 *El.* 7. and 1 *Jac.* 1. 15.

XXXI. The Bankrupts Wife shall also be examined upon Oath: and if she appear not, or refuse to be examined, she shall incur the Punishment inflicted by the former Laws in like cases.

XXXII. The Bankrupt that fraudulently concealeth his Goods, or rendreth not some just reason why he became Bankrupt, shall after Conviction be set upon the Pillory, and lose one of his Ears.

XXXIII. The Commissioners may by themselves or others break open the Bankrupts House, Chests, &c. where his Estate is, or is reputed to be, and then seise and order his Body and Estate, as by the Law is ordained.

XXXIV. In the distribution of the Bankrupts Estate, no more respect shall be had unto the Debts upon Judgment, Recognizances, Specialties with Penalties, or the like, than to other Debts.

XXXV. The Commissioners may proceed, when the Bankrupt by Fraud makes himself Accountant to the King.

XXXVI. Another Mans Goods in the Bankrupts Possession and Disposition, shall be also distributed by the Commissioners, as the Bankrupts own Goods.

XXXVII. The Commissioners Grant of the Bankrupts Entailed Lands shall be good, except when the Reversion or Remainder is in the King.

XXXVIII. Conditional Estates granted by the Bankrupt may be redeemed by the Commissioners, and afterwards sold as his other Estate.

XXXIX. No Purchaser shall be Impeached by this or the former Act, unless the Commission be sued forth within five Years after he becomes Bankrupt.

XL. This Act, as also the former, shall extend to Strangers (both Aliens and Denizens) as well as to Subjects born, as well to be relieved, as also to be subject to the Penalty thereof.

XLI. Stat. 13 & 14 *Car.* 2. cap. 24. None that adventure in the *East India* or *Guinea* Company, or put Money into any Stock for carrying on the Fishing Trade, and receive their Dividend in Goods, which they sell or exchange, shall by reason thereof only be liable to the Statutes of Bankrupts.

Berwick.

I. Stat. 22 *E.* 4. 8. Merchandise carried into or brought out of *Scotland*, or the Isles thereof, shall be first brought to *Berwick*, in pain to Forfeit the same.

II. The

Bastardy and Bastards, &c.

II. The Burgesſes and Freemen of *Berwick* only ſhall have the ſelling of all Salmon taken in *Tweed*. And the Merchants and Freemen there ſhall have the Farm of the Waters Royal and Fiſhings within the Seigniorſhip there.

III. Stat. 1 Jac. 1. 28. An Act for the Liberties of *Berwick*.

Bastardy and Bastards.

I. *Merton*, cap. 9. 20. H. 3. A Child born before Marriage is a Baſtard, albeit the common Order of the Church be otherwiſe.

II. Stat. 9 H. 6. 11. No Writ ſhall be awarded to the Ordinary to certifie Baſtardy, before three Proclamations be made in Chancery in three Months, viz. once every Month, that all Perſons who have any thing to Object againſt the Party for Baſtardy ſhall ſue to the Ordinary for that purpoſe.

III. Stat. 18 EL. 3. The two next Juſtices (1 Qu.) may take order as well for the Punishment of the Mother and reputed Father of a Baſtard Child, as alſo for the relief of that Pariſh where it is born, by charging the ſaid Mother and Father with the Suſtentation thereof by payment of Money Weekly, or otherwiſe.

IV. If the Mother and Father perform not the Juſtices Order therein, they ſhall ſuffer Imprisonment without Bail, except he, ſhe or they give Security to perform it, or elſe to appear the next Quarter Sessions, and alſo to abide the Order of the greater part of the Juſtices there, if any ſhall be there made; if not, then to perform that made by the two Juſtices.

V. Stat. 7 Jac. 1. 4. Juſtices of Peace ſhall commit to the Houſe of Correction lewd Women which have Baſtards that may be chargeable to the Pariſh, there to be Punished, and ſet on Work one whole Year: And if they offend again, they ſhall not be enlarged without giving good Security to offend no more.

VI. Stat. 21 Jac. 1. 27. It ſhall be Murder for a Mother to conceal the Death of her Baſtard Child, unleſs ſhe can prove by one Witneſs (at leaſt) that it was Still-born.

VII. Stat. 3 Car. 1. 4. All Juſtices of Peace within their ſeveral Limits and Seſſ. may do and execute all things concerning that part of 18 EL. 3. which concerns Baſtards, that by the Juſtices of Peace in the ſeveral Counties are by the ſaid Statute limited to be done.

VIII. Baſtards maintenance by the putative Fathers and Mothers. See Title *Poor*.

Battail and Grand Aſſiſe.

I. *West.* 1. cap. 41. 3 E. 1. Part of the Oath in a Writ of Right, or the Demandants Champion, expunged,

Beau-

Beaupleader.

I. *Marl. cap. 11. 52 H. 3. West. 1. cap. 8. 3 E. 1. and 1 E. 3. cap. 8. Stat. 2.* No Fines shall be hereafter taken in Circuits, Counties, Hundreds or Court-Barons, for fair Pleading.

Beer, Ale, and Mum.

I. *Stat. 22 & 23 Car. 2. cap. 13.* It shall be lawful to Export and Ship off in the presence of a sworn Gager, or other sworn Officer to be appointed by the Farmers, Commissioners, or Sub-commissioners of Excise, upon notice given at the Office of Excise, within the Limits whereof they were Brewed, or the Place whence they shall be Shipped, Ale, Strong Beer, or Mum, paying 1 s. *per* Ton, and no other Duty. Which Gager or Officer shall certifie the quantity Shipt off, to the Commissioners and Officers of Excise where Entry, thereof shall be made: who shall make allowance, or repay the Excise thereof, deducting 1 s. *per* Ton, for the Officers Charges.

II. They that shall cause any of the said Liquors so Shipt off to be unladen or put into any other Vessel in *England, Wales,* or Town of *Berwick*, shall Forfeit the same, and 100 l. for every Cask, the one moiety to the King, the other to the Prosecutor.

III. The Officers of the Customs shall charge Masters of Ships in their Victualling Bills with so much of the said Liquors, as such number of Men use to spend in such Voyages.

IV. The Rate of 1 s. *per* Ton for the said Liquors Exported, shall be paid under such Penalties as by the Laws of Tonnage and Poundage.

V. No Mum Imported shall have any part of the Customs or Excise repaid upon Exportation.

VI. This Act shall continue 6 years from the 26th of *June*, 1671. and to the end of the next Session of Parliament.

VII. Continued by the Statute of 29 *Car. 2. cap. 2.* for three years from the end of that Session.

Bishops and Bishopricks.

I. *Stat. 1 E. 3. Stat. 2. cap. 2.* The King shall not cause to be seised into his hands the Temporalities of any Bishop.

II. *Stat. 14 E. 3. Stat. 3. pro Clero, cap. 3.* The Temporalities of Bishops or other People of Holy Church, shall not be seised into our hands without a just cause.

III. *Stat. 25 E. 3. Stat. pro Clero, cap. 6.* A Bishops Temporalities shall not be seised into the Kings hand for a Contempt, but he shall hereafter in such case pay a reasonable Fine.

IV. *Stat.*

IV. Stat. 26 H. 8. 14. *Thetford, Ipswich, Colchester, Dover, Gilford, Southampton, Taunton, Shaftsbury, Molton, Marlborough, Bedford, Leicester, Gloucester, Shrewsbury, Bristol, Penrith, Bridgwater, Nottingham, Grantham, Hull, Huntington, Cambridge, Pereth, Berwick, St. Germans in Cornwall, and the Isle of Wight*, shall be Sees of Bishops Suffragans, and the Bishops of such Sees shall be Suffragans of this Realm.

V. The Bishop shall by Petition present to the King two Persons to be his Suffragans, whereof the King shall allow one, who shall thereupon be called Bishop Suffragan of that See, and shall by the Kings Letters Patents be presented to the Archbishop of the respective Province to be Consecrated to the Dignity of that Office, which the Archbishop shall do within three Months after the receipt of such Letters Patents.

VI. The Suffragan shall not exercise any greater Authority, nor make any other benefit, than what is limited unto him, by Commission from the Bishop of the Diocese, in pain to incur a *Pramunire*.

VII. The Suffragan himself, or the Bishop that presents him to the King, shall at their own Costs provide two Bishops or Suffragans to Consecrate the Suffragan with the Archbishop.

VIII. The Suffragans Residence over the Diocese shall be sufficient for his Benefice, and a Suffragan may have two Benefices with Cure.

IX. Stat. 1 E. 6. 2. The Writ of *Congé d'eslire* ousted, and none but the King (by Letters Patents) shall Collate to an Archbishoprick or Bishoprick.

X. An Archbishop, Bishop or Suffragan Collated by the King, shall pay all usual Fees.

XI. All Process Ecclesiastical shall be in the Kings Name, but the *Tesle* in the Name of the Person having Ecclesiastical Jurisdiction; and when they issue from the Commissary, Official, or other Substitute, he shall subscribe his name after the *Tesle*.

XII. The Seal of Office belonging to any such Person, shall have the Kings Arms engraven upon it, with Characters under them to notifie the Diocese, and he shall not use any other Seal, in pain of imprisonment during the Kings Pleasure.

XIII. Provided, that no more or other Fees be taken for such Seal than as before; and that the Archbishop of *Canterbury* may use his own Seal and Name for Faculties and Dispensations, according to the Statute of 25 H. 8. 21. and also that Archbishops and Bishops may make and order their Substitutes, and may also issue Commissions of Suffragans, Certificates to the Court of Tenths, Collations, Presentations, Gifts, Institutions, Inductions, Letters of Order or Dimissories, under their own Names and Seals, as in times past.

XIV. Certificates into a Court of Record shall be in the Kings Name, under the Bishops Seal, graven with the Kings Arms, as aforesaid, *Tesle* the Bishop.

XV. But

XV. *But note, that this Statute was Repealed by 1 M. 2. and that Act of M. is afterwards Repealed by 1 Jac. 1. 25. Yet quære whether that Statute 1 E. 6. 2. be now in Force.*

XVI. Stat. 3 E. 6. 1. The Form of Consecrating Bishops and Priests, is established, being comprised in a Book compiled by six Prelates, and six other appointed by the King: which Statute see in *Service and Sacraments*.

But note, that this Act was also Repealed by 1 M. 2. as the other next before.

XVII. Stat. 1 & 2 Phil. & Mar. 8. All Bishops are confirmed. Which see in *Rome*.

XVIII. Stat. 8. Eliz. 1. The Statute of 1 Eliz. 1. touching the Book of Common Prayer and Administration of the Sacraments is confirmed.

XIX. The Statute of 5 & 6 E. 6. 1. touching the Form of Consecrating Archbishops and Bishops, and the making Priests, Deacons, and Ministers, and all Acts done concerning the Consecrating of Bishops by force of the Queens Commission, are also confirmed.

XX. Provided, that no Person shall be Impeached by any Certificate of any Bishop heretofore made, touching the Oath of Supremacy made 1 Eliz. 1.

XXI. What Leases made by Bishops be good. See Title *Leases*, Num. IX.

XXII. Stat. 39 Eliz. 8. Deprivations of Bishops and Deans in the beginning of the Queens Reign, shall be good; and such as have been made since the Queens time, shall be lawful.

XXIII. Stat. 1 Jac. 1. 3. All Assurances of Bishops Lands to the King, shall be void.

See Title *Courts and Jurisdictions Ecclesiastical*.

Books and Images.

I. Stat. 25 H. 8. 15. None shall buy Books to sell again, which are brought from beyond Sea ready bound, in pain to Forfeit for every Book 6s. 8d.

II. None shall buy of a Stranger (that is no Denizen) any Printed Books brought from beyond Sea, except in gross, upon the like pain.

III. The Forfeitures shall be Levied of the Buyers, and divided betwixt the King and the Prosecutor.

IV. The Prices of Books increased to unmeasurable Rates, shall be qualified by the Chancellor, Treasurer, and two Chief Justices, or any two of them.

V. Stat. 3 & 4 E. 6. 10. Popish Books are abolished, and Images taken out of, or yet remaining in Churches, shall be destroyed. *But quære whether the Statute be in Force, because Repealed by 1 M. 2. For albeit 1 M. afterwards be Repealed by*

Bows and Bow-staves.

by 1 Jac. 1. 25. yet because the Statute of E. 6. was once Repealed, and not since Revived by special words, it may be doubted whether it be now in Force.

¶ VI. Stat. 13 & 14 Car. 2. cap. 33. An Act Intituled, *An Act for preventing Abuses in Printing Seditious, Treasonable and Unlicensed Books and Pamphlets, and for Regulating Printing and Printing Presses.* Continued 16 Car. 2. cap. 8. to the end of the next Session of Parliament. Continued 16 & 17 Car. 2. cap. 7. to the end of the next Session of Parliament. Continued 17 Car. 2. cap. 4. to the end of the First Session of the next Parliament. Anno Primo Jac. 2. cap. 17. Revived and Continued from the 24th of June, 1685. for 7 Years, and from thence to the end of the next Parliament. Continued for 1 Year, per Stat. 4 & 5 W. & M. Sess. 4. cap. 24. Sect. 14. and Expired.

Bows and Bow-staves.

I. Stat. 12 E. 4. 2. Four Bow-staves shall be brought into this Realm for every Ton of Merchandise brought in by any Merchant-Stranger from any Place from whence Bow-staves have been formerly brought, in pain of 6s. 8d. for every Bow-stave whereof Default is so made.

II. Search and Survey shall be made of such Bow-staves by the Head-Officer where the Ship, &c. Lands, who shall have power to appoint Officers for that purpose.

III. Stat. 1 R. 3. 11. Ten Bow-staves shall be brought into this Kingdom for every Butt of Malmsey or Tyre, in pain of 13s. 4d. for every Ton.

IV. Bow-staves shall not be sold ungarded, but to a Subject born.

¶ V. Stat. 8 Eliz. 10. A Bowyer dwelling in London, or the Suburbs, shall have always ready Fifty Bows of Elm, Witch-hazel, or Ash, well made and wrought, in pain of 10s. for every Bow failing of that Number, to be divided betwixt the King and the Prosecutor, who must be an Armourer, Fletcher, or Bow-string maker.

VI. No Bowyer shall sell a Bow of Outlandish Elm of the best sort for above 6s. 8d. of the second sort above 3s. 4d. and of the worst sort above 2s. nor one made of *English* Elm above 2s. in pain to Forfeit for every Bow otherwise sold, 40s. to be divided betwixt the King, and any of the aforesaid Artificers that will sue for the same.

* VII. Stat. 13 Eliz. 14. The Statute of 12 E. 4. Confirmed.

VIII. All Merchant-Strangers bringing Wares from the East Parts, as well as from the 72 Hanse-Towns, shall be bound by the said Statute of 12 E. 4. 2. under the pains therein contained, to be divided betwixt the King and the Prosecutor.

Basis,

47

**Brass, Laten, Copper, Bell-metal,
Pewter, &c.**

* I. Stat. 19 H. 7. 6. None shall sell or change Brass, save only in open Fairs and Markets, or in their own Houses; (except they be desired by the Buyer of such Wares) in pain of 10*l*.

II. None shall cast or work Brass or Pewter, but according to the goodness of Metal wrought in *London*, in pain to Forfeit the one moiety thereof to the King, and the other to the Finder.

III. Hollow Ware of Pewter, called Lay-metal, shall be wrought after the Assise of Lay-metal in *London*, and shall be marked, in pain to Forfeit the said Wares, or (being sold) the price thereof, which shall be divided, as aforesaid.

IV. None shall use (in the selling of Brass or Pewter) any false Beams or Weights, in pain to Forfeit 20*s*. to be divided as above; and in case he be not able to pay it, he shall be (by the Head Officer) committed to the Stocks till the next Market-day, and then stand upon the Pillory.

V. Searchers of Brass and Pewter in every City and Borough shall be appointed by the Head Officers of the same, and in every County by Justices of the Peace, at their *Mich.* Session; and in default of Searchers in Cities and Boroughs, any other Person (skilful in that Mystery) by oversight of the Head Officers may take upon him the Search of defective Brass, which shall be equally divided, as aforesaid.

VI. Stat. 4 H. 8. 7. The Statute of 19 H. 7. 6. is confirmed: And besides, it is Enacted, That in Cities and Boroughs Search of defective Tin and Pewter, shall be made by the Wardens of the Craft of Pewterers; and in towns where no Wardens are, Searchers shall be appointed by the Head Officers there; which said defective Ware shall be Forfeited, and divided as in the former Statute.

VII. Stat. 25 H. 8. 9. None shall buy, or take by way of exchange, any Wares made of Tin or Pewter out of the Realm, in pain to Forfeit them, and also the value thereof in Money.

VIII. Officers may search and seise Wares brought into this Realm contrary to this Act.

IX. No Stranger born shall work any Pewter or Tin in *England*, in pain to Forfeit the same.

X. No Pewterer shall teach his Trade in a Foreign Nation, in pain to lose the Privilege of an *Englishman*.

XI. Liberties and Placards to wandering Braziers and Pewterers shall be void.

XII. The Penalty of 10*l*. mentioned in 19 H. 7. 6. and those

likewise of this present Act, shall be equally divided betwixt the King and the Finder.

XIII. Stat. 33 H. 8. 4. The Statute of 25 H. 8. 9. is made perpetual.

XIV. None shall withstand the search of Brass, Tin, Pewter, &c. in pain of 5 *l.* to be divided as in the former Statute.

XV. Stat. 33 H. 8. 7. None shall convey out of this Realm Brass, Copper, Laten, Bell-Metal, Pan-Metal, Gun-Metal, or Shroof-Metal, clean and mixed (Tin and Lead only excepted) in pain to Forfeit the double value, to be divided betwixt the King and the Prosecutor. *English Metal may be exported*, per Stat. 5 & 6 W. & M. cap. 17.

XVI. The Landing thereof in Foreign Parts shall be Tried and Determined in the County where it was Shipped.

XVII. None shall Transport such Metal from one part of the Realm to another, before he hath acquainted the Customer where the Ship is, with the true Weight thereof, and also given him Bond to the Kings use of the double value thereof, with Condition to Land it in some part of the Realm, in pain to Forfeit the same, in manner and form aforesaid; and shall also within Eight Months after, bring from the Customer of the Place where he Lands it, a Certificate of the Landing thereof, which Customer shall give him or his Factor such Certificate without delay.

XVIII. The false Customer that makes a false Certificate in such case, shall lose his Place, and the value of the Goods so concealed.

XIX. If the Goods be diminished by Tempest, Enemies or Pirates, upon due proof thereof made to the Customer by the Party, his Executor, or, &c. his Bond shall be re-delivered, or otherwise discharged.

XX. Stat. 2 & 3 E. 6. 37. The Penalty of 10 *l.* for every Thousand Weight is added to the Forfeiture of the double value of Metal Transported contrary to the Statute of 33 H. 8. 7.

XXI. Also 10 *l.* for every Thousand Weight shall be added to the double value of the Goods, and the Total thereof put into the Bond to be made to the Customer, according to the Statute of 33 H. 8. 7. which Bond if it want a Date, the Customer shall Forfeit his Place, and the value of the Goods Shipped.

XXII. If any Officer of the Ship suffer any such Metal to be Shipped, and not disclose it within three Days, he shall Forfeit the double value thereof; or if any Customer or Searcher, having notice thereof, do not seise it to the Kings use, he shall lose his Office, and the value of the Metal.

XXIII. None shall Lade such Metal but where there is a Customer, in pain to Forfeit 10 *l.* and the Metal.

XXIV. The

Breakers of Leagues and Truce.

51

XXIV. The Forfeitures are to be divided betwixt the King and Prosecutor.

XXV. The Statute of 33 H. 8. 7. in all points not altered by this, is confirmed. *Metal make of English Ore may be Exported*, per Stat. 3. & 6 W. & M. cap. 17.

Breakers of Leagues and Truce.

I. Stat. 2 H. 5. 6. In every Port (beside the Cinque-Ports) there shall be a Conservator of the Truce, worth in Land 40 *l. per annum* at least, who by the Kings Letters Patents and the Admirals Commission, shall have power to enquire of (by Inquest) and inflict Punishment for Offences done upon the Sea against Truce and safe Conducts, in like manner as the Admirals have heretofore used to do: howbeit the death of a Man is reserved to the Admiral.

II. The Conservator hath Power to award Processess against the Offenders, (*viz. Capias and Exigent*) wherein the Additions of the Parties Indicted shall truly be inserted; and also by himself or his Lieutenant to hear and determine Differences betwixt Party and Party concerning Truce and safe Conducts.

III. The Conservator shall have two Men Learned in the Law joyned in Commission with him: as his Associates; and both he and they shall be sworn to take no Fee, Gift, &c. save of the King only; and if any be offered them, that they forthwith discover to the King or his Chancellor, in pain of Imprisonment and Fine.

IV. The Conservator shall be resident upon the Place where he is appointed Conservator, and shall have for his Fee 40 *l. per annum* at least, and a Seal of the Kings, proper for his Office.

V. Every Master of a Ship (and Owner too, if he be present) shall before he departs the Ports, be sworn before the Conservator, not to attempt any thing against the Truce; and the Conservator shall Record the Name of such Master and Owner, and also of the Ship, together with the number of the Mariners, and if they take any thing from the Enemy, the Conservator shall be acquainted therewith before Discharge or Sale, if for some reasonable Cause the Ship entered not some other Port; then they must procure from the Conservator there a Testimonial, under Seal, of the Goods taken, and their value, to be shewed to the Conservator of the Port from whence they first came. And all this they must do, in pain to Forfeit the Ship, and suffer Imprisonment until they make Fine and Ransom to the King.

VI. Provided that no Possessor of a Ship shall suffer Imprisonment, or make Fine, unless he was present in the Ship when the Offence was committed.

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VII. The

VII. The Admiral shall have all Forfeitures out of the Cinque-Ports, as before hath been used.

VIII. Conservators to be made within the Cinque-Ports by the Kings Letters Patents, and the Wardens Commission shall also have like power within that Franchise, and the Wardens shall have the Forfeitures there, as in times past. Howbeit the Death of a Man is reserved to the Warden.

IX. Stat. 4 H. 5. If any with whom Truce is broken at Sea complain thereof to the Keeper of the Privy Seal; he shall have Letters of Request under the Privy Seal; and if thereupon the Offender make not Restitution, he shall have Letters of Mart granted him under the Great Seal.

X. Stat. 14 E. 4. 4. The former Statutes are confirmed.

Bridges.

I. Stat. 1 H. 8. cap. 9. An Act for *Stanes Bridge, Comit. Middlesex.*

II. Stat. 8 H. 6. 28. An Act for making *Burford and Culhamford Bridges.*

III. Stat. 22 H. 8. 5. Four Justices (1 Qu.) shall in Sessions enquire, hear and determine the Annoyances of Bridges, and of the High-ways adjoining within 300 Foot next unto the said Bridges; and shall also Charge such as should Repair them, by sending forth Proceses, and setting pains, as they shall think fit.

IV. When it cannot be known what Precinct shall Repair a Bridge or Way, they shall be repaired by the County, Riding, or Corporation, within which they are situate: and if they happen to be situate in two of such Precincts, the Inhabitants there shall repair the several Parts respectively.

V. The said Four Justices have power to call before them the Constables, or two able Men of every Parish, and by their Assent to make a Tax, and to appoint Collectors to Levy the same by Distress and Sale, and also to appoint Surveyors of such decayed Bridges and Ways, unto whom the Collectors shall pay the Money Levied; which said Collectors and Surveyors shall render an Account unto the said Justices, upon pain of Imprisonment without Bail.

VI. The Justices may in this case send Process out of their Jurisdiction, which the Officers to whom it is directed shall obey and serve, in pain to be Fined by the said Justices.

VII. This Act shall not extend to the five Ports, nor to the Members of the same: save only that their Officers shall have such power to reform Annoyances of Bridges and Ways there, as the Justices of Peace have elsewhere by force of this Act. *Altered per 1 Anna cap. 18.*

VIII. The

VIII. The Justices shall allow to the Collectors and Surveyors their reasonable Charges.

IX. Stat. 18 Eliz. 17. A good Law for the maintenance of *Rochester Bridge in Kent*. See the Statute. *Altered per 1 Anna cap. 18. Sect. 14.*

X. Stat. 18 Eliz. 20. An Act for the Repair of Bridges and Highways within One mile of *Oxford*. See it at large.

XI. Stat. 23 Eliz. 11. An Act for the Re-edifying and Maintenance of the Bridges over *Tosse* near *Cardiff* in the County of *Glamorgan in South Wales*.

XII. Stat. 27 Eliz. 25. Another Act for the Repair of *Rochester Bridge*.

XIII. Stat. 39 Eliz. 23. An Act for the Making and Repairing of *Newport and Carlion Bridges* over the River *Usk*.

XIV. Stat. 39 Eliz. 24. An Act for the Building of a Bridge at *Wilton upon Wye*, in the County of *Hereford* near *Ross*, and what Pontage shall be there taken.

XV. Stat. 43 Eliz. 16. An Act for the Erecting and Repairing of *Edon and Presberk Bridges* in *Cumberland*.

XVI. Stat. 3 Jac. 1. 23. An Act for new Making and Repairing of *Chepshaw Bridge*.

XVII. Stat. 3 Jac. 1. 24. An Act for the Building of *Upton Bridge* over *Severn* in *Worcestershire*, within Three years. *Expired.*

XVIII. Stat. 22 Car. 2. cap. 12. A Clause for the Repairing of *Usk and Basalegg Bridges* in *Monmouthshire*.

Brokers.

* I. Stat. 1 Jac. 1. 21. The Sale of Goods wrongfully gotten to any Broker in *London, Westminster, Southwark*, or within Two miles of *London*, shall not alter the Property thereof.

II. If a Broker, having received such Goods, shall not upon the request of the true Owner, truly discover them, how and when he came by them, and to whom they are conveyed, he shall Forfeit the double value thereof to the said Owner.

III. This Act shall not prejudice the ancient Trade of Brokers in *London*, being selected and sworn for that purpose; it being only intended against Fripers and Pawn-takers, who for the most part keep open Shop,

Burials.

I. Stat. 18 Car. 2. cap. 4. An Act for Burying in Woollen only. *Rep.*

II. Stat. 30 Car. 2. cap. 3. No Corps shall be buried in any thing other than what is made of Sheeps-Wooll only; or be put into any Coffin lined or faced with any thing made of any Materials but Sheeps-Wooll, on pain of the Forfeiture of 5*l.*

III. All Persons in holy Orders, or their Substitutes, shall keep a Register of all Persons buried in their respective Precincts, or in such common Burial Places as their Parishioners are usually buried, and some Relation of the Party deceased, or other Person, within Eight Days after such Interment, shall bring an *Affidavit* under the Hands and Seals of Two Witnesses (and of the Officer before whom it was sworn, for which nothing shall be paid) to the Minister, &c. that the said Person was not buried contrary to this Act; and for want of such *Affidavit* the Goods of the Party deceased shall be liable to the said Forfeiture, to be levied by Distress and Sale thereof by Warrant of the Chief Magistrate in any Town, or any Justice of Peace, or in default thereof, by Distress, &c. of the Persons Goods in whose House the Party died, or the Goods of any that had a hand in putting such Person into any Coffin, &c. contrary to this Act, or that ordered the same; and if such Person were a Servant, and died in his Masters Family, the Masters Goods to be liable; if such Person died in his Parents Family, their Goods to be liable, The said Forfeitures to be allowed out of the Estate before any Debt, or other Duty whatsoever.

IV. Such *Affidavit* shall be taken before some Justice of Peace, Master of Chancery, ordinary or extraordinary, Mayor, Bailiff, or other Chief Officer of the City, County, Borough, &c. where the Party was buried. If no such *Affidavit* shall be brought, as aforesaid, the Minister shall give notice under his Hand to the Churchwardens or Overseers of the Poor, who within Eight days after shall repair to the Chief Magistrate in any Town, &c. if buried there; else to a Justice of Peace, who upon Certificate thereof from the Minister, &c. shall grant a Warrant for Levying the Forfeiture: One Moiety thereof to the Poor of the Parish where the Party is buried, the other to him that will sue for the same.

V. Ministers, Churchwardens, and Overseers, and Justices of Peace, or Chief Magistrates, &c. neglecting their Duty aforesaid, shall Forfeit $\text{5} \text{ l.}$ for every Offence, to be recovered by Action of Debt, Bill, Plaint, &c. wherein the Prosecutor shall recover his full Costs, so as the Suit be commenced within Six months after the Offence committed: One Fourth part of which Forfeitures shall be to the King, Two other parts to the Poor of the Parish where the Offender dwells, the Fourth to the Informer.

VI. Every Minister, &c. shall keep a Register, to be provided at the Parish Charge, and enter all Burials and *Affidavits*, &c. and where none is brought, as aforesaid, shall enter a Memorial thereof against the Name of the Party interred, of the time when he notified the same to the Churchwardens or Overseers of the Poor.

VII. When

VII. When the said Overseers give up their Accounts at the Quarter or Petty Sessions, or to any Two Justices at their Monthly Meetings, they shall give an Account of the Name and Quality of every Person interred since their former Account, and of such Certificates, and of their Levying the Penalties aforesaid, and Disposal of the same, on pain of 5 l. to be Levied by Warrant from the said Justices, or Two of them. No Account of Overseers shall be allowed till they shall Account for the Burials, &c.

VIII. No Penalty shall be incurred by reason of any that die of the Plague.

IX. Judges at their Assises, and Justices of Peace at their Quarter Sessions shall give this Act in Charge: and it shall be publicly read on the first Sunday after the Feast of St. Bartholomew, for Seven years, presently after Divine Service.

X. Persons prosecuted for what they shall do in pursuance of this Act, may plead the General Issue, and give this Act in Evidence, and if the Prosecutor be Non-suit, or discontinue, or a Verdict passed against him, or Judgment upon a Demurrer, the Defendant shall have treble Costs.

XI. Stat. 32 Car. 2. cap. 1. That after the Second of February, 1680. (where no Justice of Peace shall reside, or be to be found in any Parish where any Party shall be interred) the Oaths or Affidavits for Burying in Woollen may be Administred, not only by such Magistrates as are mentioned in the former Act; but also by the Parsons, Vicars, and Curates in every Parish, or Chapel of Ease within the County where the Party shall be interred (except the Parson, Vicar and Curate of the Parish, or Chapel of Ease where the Party is interred) who are Authorized and Required to Administer the said Oaths or Affidavits, and to Attest the same under their Hands gratis.

Burning of Carts and Wood, Cutting Dams, Heads of Ponds, Conduits, Pipes, Tongues and Ears, and Barking of Trees.

* I. Stat. 37 H. 8. 6. If any maliciously and willingly cut the Head of a Pond, burn a Cart laden, a heap of Wood prepared for Coal, cut out the Tongue of any Beast being alive, or the Ear or Ears of any Person, or Bark any Fruit-tree; for every such Offence he shall lose treble Damages to the Party grieved, and pay 10 l. to the King.

58 Butchers, Butler of the King, &c.

Butchers.

I. Stat. Of Bakers and Brewers, cap. 7. E. 2. A Butcher that sells Swines-flesh mēzeled, or dead of the Murrain, for the first Offence he shall be Amerced, for the second have the Pillory, for the third be imprisoned and make Fine, for the fourth abjure the Town.

II. Stat. 4 H. 7. 3. No Butcher shall Kill any Flesh in his Scalding-house, or within the Walls of London, in pain to Forfeit for every Ox so killed, 12 d. and for every other Beast, 8 d. to be divided between the King and the Prosecutor.

III. The same Law shall extend to all other Walled Towns, and to Cambridge, Berwick and Carlisle only excepted.

IV. Stat. 15 Car. 2. cap. 8. No Butcher shall sell or expose to sale by himself or others, any Fat Oxen, Steers, Runts, Kine, Heifers, Calves, Sheep or Lambs, alive, on pain to Forfeit double the value, one half to the King, the other to the Informer. *Revived and Continued 22 & 23 Car. 2. cap. 19. & Jac. 2. cap. 17. Continued from 13 Febr. 1692. for 7 Years, and to the end of the next Sess. after, per Stat. 4 & 5 W. & M. Sess. 4. cap. 24. Sect. 9.*

Butler of the King.

I. Stat. 25 E. 3. cap. 21. The Steward of the House and Treasurer of the Wardrobe shall give notice how much Wine shall be taken by the Butler or his Lieutenant in every Port, which number shall not be exceeded.

II. A Certificate shall be made by the Mayor and Bailiffs there, under their Seals, by Indenture betwixt them and such Takers of Wine to the said Steward and Treasurer, how much Wine is so taken.

III. If the Butler or his Lieutenant take more Wine, or any Reward, or delay any by colour of his Office, (as by Arrest) he shall Forfeit double Damages to the Party grieved, lose his Office, be imprisoned, and be Ransomed at the Kings Will.

* IV. Stat. 43 E. 3. 3. The Kings Butler or his Lieutenant shall take no more Wine than he shall be commanded, in pain to be Imprisoned, and Ransomed at the Kings Will: and after Ten days the Merchant may sell the residue, notwithstanding their Arrest.

Butter and Cheese.

I. Stat. 3 H. 6. 4. The Lord Chancellor may grant Licence under the Great Seal to any to convey Butter and Cheese to any other Place besides the Staple, which then was at Calais.

II. Stat.

II. Stat. 18 H. 6. 3. Butter and Cheese may be conveyed to any Place out of the Realm (being in the Kings Amity) without Licence.

* III. Stat. 3 & 4 E. 6. 21. None (except Inn-holders and Victuallers in their Houses) shall buy any Butter or Cheese to sell again, save only by Retail in open Shop, Fair or Market; and so not above a Wey of Cheese, or a Barrel of Butter at one time, without Fraud; in pain to Forfeit the double Value, to be divided betwixt the King and the Prosecutor.

* IV. Stat. 21 Jac. 1. 22. The Statute of 3 & 4 E. 6. 21. and so much of the Statute of 5 & 6 E. 6. 14. as concerns the buying and retailing Butter and Cheese (which see in *Forestallers*) shall not extend to the Retailers of Cheese in *London, Westminster or Southwark*, having served Seven Years in that Trade, not uttering above Four Wey of Cheese, or Four Barrels of Butter at one time, without Fraud.

V. Justices of Peace in Sessions have power to restrain the retailing of Butter and Cheese; during which Restraint those that Retail shall be liable to the Penalties of 3 & 4 E. 6. 21. and 5 & 6 E. 6. 14.

VI. Stat. 13 & 14 Car. 2. cap. 26. The Kilderkin of Butter shall contain 112 pounds neat, or above, of 16 ounces to the pound; the Firkin 56, the Pot 14, besides Casks and Pots. Old and Corrupt Butter shall not be packed up with New and Sound, nor Whey-Butter with Butter made of Cream; no Butter shall be salted with great Salt, nor more Salt than will preserve it, on pain to Forfeit the Value of the Butter so false packed, and Six times the Value of every pound wanting.

VII. Sellers of Butter shall deliver in every Kilderkin, &c. the quantities aforesaid, or be liable to make Satisfaction for what is wanting, at the Price for which the same was Sold.

VIII. None shall Repack Butter for Sale, on pain to Forfeit double the Value.

IX. All Persons packing Butter for Sale, shall Pack it in Casks of sound, dry, well-seasoned Timber, marked with the Weight of the empty Cask, and the first Letter of their Christian Names, and Surnames at length, with an Iron Brand, on pain to Forfeit 10 s. for every 100 weight otherwise Packed, and so proportionably for greater and lesser Quantities.

X. Potters shall set upon Pots for packing Butter, the Weight thereof, with the first Letter of their Christian Names, and their Surnames at length, on pain to Forfeit 1 s. for every Pot exposed to Sale not so marked. None shall expose to Sale Butter in Pots not marked, on pain to Forfeit 2 s. for every Pot.

XI. All the said Offences shall be determined in the Sessions of Peace, or Court of Record of the Place where committed, by Action of Debt, Information, Indictment, or Presentment; one moiety of the Forfeitures shall be to the use of the Poor of the Parish

Cables, Halsors and Ropes, &c,

Parish where the Offence is committed, the other half to the Informer, besides his double Costs.

XII. Every Suit and Information shall be within four Months after Sale of such Butter. Seller discharged of the Penalty after Buyer hath bought, contracted for, and approved of the Commodity, *per Stat. 4 & 5 W. & M. Sess. 3. cap. 7. §. 7.*

Cables, Halsors and Ropes.

I. Stat. 21 H. 8. 12. **A**N Act for the true making of Cables, Halsors, and Ropes in *Burport*, and within five miles thereof. See the Statute at large.

II. Stat. 35 El. 8. None shall make, or cause to be made, any Cables of old Stuff, which shall contain seven Inches in compass, in pain to Forfeit four times the Value of every Cable so made; neither shall any Tar, or cause to be Tarred, any Halsors or other Cordage made of old Stuff, being of lesser Assise, nor put the same to Sale; in pain to Forfeit the treble Value of every such Cable, Halsor, or other Cordage of lesser Assise than seven Inches made and tarred, as aforesaid.

III. The said Forfeitures are to be divided between the Queen and the Prosecutor.

Calves and other Cattle.

I. Stat. 3 & 4 E. 6. 19. No Cattle shall be Bought but in open Fair and Market, and those not Sold again in the same Fair or Market, in pain to Forfeit the double Value.

II. No Butcher shall buy any Cattle, and sell the same again Alive, in pain to Forfeit them.

* III. Stat. 2 & 3 P. & M. 3. Sess. 2. He that keepeth above 120 Sheep, or 20 Beasts upon every Pasture-Ground apt for Milch-kine, and not Commonable, shall yearly for every 60 Sheep, or 10 Beasts, keep one Milch-Cow, and for every 120 Sheep, or 20 Beasts, rear up one Calf, in pain to Forfeit for every Cow and Calf not so kept or reared, 20 s. viz. the one half to the King and Queen, and the other to the Prosecutor, if he commence his Suit within one Year after the Offence committed.

IV. Justices of Peace in Sessions have power to hear and determine the Breach of this Statute.

V. This Act shall not bind such as keep Sheep or feed Beasts only for their own Provision.

VI. Stat. 7 Jac. 1. 8. The Statute of 2 & 3 P. & M. 3. shall also extend to Grounds which since the said Act have been or shall be made several.

VII. Stat,

VII. Stat. 18 Car. 2. cap. 2. Importation of Cattle Dead or Alive declared to be a common Nulance. And if any great Cattle, Sheep or Swine, or any Beef, Pork or Bacon shall be imported or brought from beyond Sea, except for the necessary Provision of the Vessels in which it shall be brought, not exposing it to Sale, any Constable, Tythingman, Headborough, Churchwardens, or Overseers of the Poor, may seise and keep the same 48 Hours, within which time if it be made to appear to some Justice of Peace of the County, by Oaths of two Witnesses, that it was not Imported contrary to this Act, it shall be delivered him upon such Justices Warrant, else shall be Forfeited, one half to the Poor of the Parish where Seised, the other half to him that shall Seise.

VIII. If any Ling, Herring, Cod or Pilchard, fresh or salted, dried or bloated, or any Salmon, Eels or Congers taken by Foreigners, be Imported or Exposed to Sale, any Person may Seise them, the one half to be disposed to the use of the Poor of the Parish where Seised, the other to his own use.

IX. Cattle may be Imported from the *Isle of Man*, not exceeding 600 Head yearly, and provided they be of the Breed of that *Island*, and Landed at the Port of *Chester*, or Members thereof.

X. This Act to continue for seven Years, and from thence to the end of the first Session of the next Parliament.

XI. Stat. 20. Car. 2. cap. 7. Every inhabitant in the Parishes and Places where Importation of Cattle, Beef, Pork, &c. contrary to 18 Car. 2. cap. 2. shall be, may Seise and deliver the same to the Constable, Tythingman, Headborough, Churchwardens, or Overseers of the Poor, to be disposed as in the said Act is directed.

XII. Every Liberty, Parish or Place, and Inhabitants thereof, neglecting to make such Seisure, shall Forfeit for every default, 100 *l.* for the use of the House of Correction within the County or Liberty where, &c. such Monies and other the Forfeitures accruing to the Poor by this and the former Acts, shall be accounted for to such Persons, and in such manner as the Overseers of the Poor are appointed to account by the Statute of 43 *El. cap. 2.*

XIII. Every Vessel in which any Cattle, Swine, Sheep, Beef, Pork or Bacon shall be Imported from beyond Sea, and out of which any of them shall be put on Shore, shall be Forfeited; and any Person within a Year after such Importation, may Seise and Sell her: One half of the price to be to the use of the Poor of the Parish where Seised, the other half to him that shall Seise: And any Justice of Peace of the County, or Chief Officer of the Port-Town in or near the Place where such Importation shall be, or where any of the said Cattle, &c. shall be driven or brought, by Warrant under Hand and Seal, may cause to be Apprehended the Masters and Mariners of the Vessel in which such Importation

tation shall be made, and others employed in landing, driving or taking care of the same, and commit them to Goal three Months.

XIV. When through any fraudulent Agreement or Connivance, of any Constable, &c. or otherwise, any great Cattle, Sheep, Swine, &c. after the first Seizure of them, shall be found in any other Parish, the Constable, Tythingman, Headborough, &c. of such other Parish, may Seize and dispose them as Forfeited, one half to the Poor of that Parish, the other half to the Officer that shall Seize the same.

XV. Suits for any thing done by virtue or colour of this or the former Act, shall be laid in the proper County, or the Defendant found Not guilty, without regard to any Evidence for the Plaintiff.

XVI. In every such Suit the Defendant may plead the General Issue; and if the Plaintiff or Prosecutor be Non-suit, or Discontinue, or a Verdict be against him, the Defendant shall have treble Costs.

XVII. The like *Proviso* for Importation of Cattle from the *Isle of Man*, as in the former Act.

XVIII. Persons that wilfully agree together to evade the Seizures or Forfeitures in this Act specified, and put the same in execution, being Prosecuted within a Year after, shall incur the Penalty of 16 *Rieb. 2. of Praemunire*.

XIX. Stat. 22 Car. 2. cap. 13. All Persons may Transport Beef, Pork, Bacon, Butter, Cheese, and Candles, though they do exceed at the Ports whence they are laden, the Prices set down in the Act of Tonnage and Poundage, made 12 Car. 2. paying the Rates appointed by the said Act. *Vide Merchants 89.*

XX. Except that for the Custom and Poundage of one Barrel of Butter there shall be paid 1 s. and for 100 weight of Cheese 4 d. and no more.

XXI. For every Ox or Steer Transported there shall be paid 1 s. and no more.

XXII. Any Person may Transport Cows or Heifers, paying for each Cow or Heifer 1 s. and no more; and Swine or Hogs, paying for each 2 d. and no more.

XXIII. Any Persons may Transport Horses or Mares into Parts beyond the Seas, in Amity with the King, paying for each 5 s. and for each Gelding 3 s. and no more.

XXIV. Stat. 22 & 23 Car. 2. cap. 19. One Act made 2 & 3 E. 6. Intituled, *An Act for Vittuals and Handicraftsmen*, and one Act made 15 Car. 2. Intituled, *An Act to prevent the Buying and Selling of Live Fat Cattle by Butchers*, are hereby Revived and Continued, Except one Branch in the first mentioned Statute, since Repealed by a Stat. made 4 & 5 E. 6. and except such things in either of them, as shall be Altered or Repealed hereby,

XXV. No

XXV. No Jobber, Salesman, or other Broker or Factor, who sell Cattle for others, shall be allowed or imployed for Buying or Selling other Fat Cattle than Swine or Calves, within Eighty Miles of *London* and *Westminster*, on pain to Forfeit the value of the Cattle so bought or sold, to be paid by the Owner, and on this further Pain, That the Jobber, &c. shall Forfeit the value of all such Cattle so bought or sold, or exposed to sale.

XXVI. If any Butcher in *London* and *Westminster*, or within Ten Miles thereof, buy Fat Cattle, and sell them again alive or dead, to another Butcher, the seller shall Forfeit the value of such Cattle.

XXVII. No Drover shall be Licensed by the Justices of Peace within *London* and *Westminster*, or Eighty Miles of the same.

XXVIII. Justices of Peace shall not License any to be Drivers, who exercise the Trade of Grasiers or Butchers; nor any other, but such as shall become bound to the King with two Sureties of the same County, by Recognizance, in such Sum as the Justices shall think fit, not to sell any Cattle within Sixty Miles of the place where they bought them.

XXIX. Where upon any prosecution on this or any other Act, question shall arise concerning distance of time or place between the buying and selling the Cattle, the proof shall be incumbent on the party accused: And if the party accused plead that the Cattle were his own, it shall be incumbent on him to prove his Property.

XXX. But if it shall appear to the Justices that such Prosecution was only for Vexation, they may award the Party prosecuted treble Costs.

XXXI. Justices of Peace at their Quarter Sessions, shall hear and determine all Offences in buying or selling Cattle contrary to this Act, or any other in Force, by Inquisition, Presentment, Bill or Information, and make Extracts of one moiety of the Forfeitures to be levied to the Kings use, and award Execution of the other moiety to the Prosecutor, by *fieri fac.* or *cap.*

XXXII. The Justices shall proceed, any Writ, or Writs of *Certiorari* notwithstanding.

XXXIII. If any Fat Cattle bought in *Smithfield* Market, shall be brought again into the same Market to be sold alive, they shall be seised by the Bailiff, Toll-keeper, or other Officer having oversight of the Market, to the use of the Mayor, Aldermen, &c.

XXXIV. For discovery whereof, all Cattle sold shall be marked by cutting off two Inches of the further Horn.

XXXV. Foreigners as well as Freemen may buy and sell any Cattle in the Market of *Smithfield*, the Custom of Foreign bought, and Foreign sold, or other usage notwithstanding.

XXXVI. None

XXXVI. None shall be prosecuted upon this Act, but within six months after the Offence committed.

XXXVII. This Act to continue for three years, and from thence to the end of the next Session of Parliament, and no longer.

XXXVIII. If any Person discover and compound for any Offence against this Act, he shall Forfeit 20*l.* to be recovered and disposed as the Penalties and Forfeitures in this Act are directed.

XXXIX. Stat. 1 Jac. 2. cap. 17. The Act next before-going continued from the 24th of June, 1685. for seven years, and from thence to the end of the next Session of Parliament.

XL. Provided that it shall not extend to Salemen, or Factors employed by Farmers or Feeders. *Continued per Stat. 4 & 5 W. & M. cap. 24. Sect. 9. from 13 Febr. 1692. to the end of the next Session of Parliament.*

Cambridge and Cambridgeshire.

I. Stat. 34, 35 H. 8. 24. An Act for the assurance of certain Lands to *John Hinde* (then Serjeant at Law) and his Heirs, paying yearly 10*l.* toward the Charges and Wages of the Knights of the Parliament for *Cambridgeshire* for ever.

II. Stat. 35 H. 8. 15. An Act for Paving the Streets in *Cambridge*. See these Statutes at large.

Captains and Soldiers.

I. Stat. 5 R. 2. 10. The Covenants of such as shall serve the King in his Wars or Embassies, shall be recorded in the Exchequer, as also the Repeal of their Retinue, to the end a just Account may be thereupon had, if need be.

II. Stat. 18 H. 6. 18. No Captain shall detain any part of his Soldiers Wages, in pain to Forfeit to the King 20*l.* for every Spear-man, and 10*l.* for every Bow-man.

III. Howbeit, if they have been Waged half a Year, the Captain may detain 10*s.* for the Gown of a Gentleman, and 6*s.* 8*d.* for that of a Yeoman.

IV. Stat. 18 H. 6. 19. It is Felony for a Soldier (retained to serve the King in his Wars) not to go with, or to depart from his Captain without Licence.

V. Officers shall arrest Soldiers, who within the term limited come on this side the Sea without Letters Testimonial of their Captain, and shall retain them until the cause of their return be tried.

VI. Justices of Peace have power to hear and determine those Offences. *Vide Co. 6. 27.*

VII. Stat. 7 H. 7. 1. A Captain which shall not have the whole number of his Soldiers, or not pay them their due Wages within

within six days after he shall have received them, shall Forfeit all his Goods and Chattels, and suffer Imprisonment.

VIII. It is Felony for a Soldier retained, to depart from his Colours without Licence, for which he shall not enjoy the benefit of his Clergy.

IX. Justices of Peace have power to enquire, hear and determine of this Offence of departing without Licence; and the Trial thereof shall be in the same County where the Soldier is apprehended.

X. This Act shall not be prejudicial to Captains when Soldiers die, or otherwise depart without any default of theirs, so that they therewith acquaint (at Land) the Treasurer of the Wars within ten days after, or (at Sea) the Admiral at their next meeting with him. *But Quære whether the Statute survived Hen. 7.*

XI. Stat. 3 H. 8. 5. This Act is in all parts the same with 7 H. 7. 1. save only that it shall not extend to Captains and Soldiers in *Berwick, Wales, Calice*, or other Places in *France*, nor to Captains having under them Retinue of Soldiers, or for Non-payment of the Kings Wages to Captains Household Servants. *Quære also whether this survived Hen. 8.*

XII. Stat. 2 & 3 E. 6. 2. A Soldier that makes away his Horse or Arms (proof thereof being made before the chief Commander) shall suffer Imprisonment without Bail, until he hath satisfied the Party at whose Charge he was sent out.

XIII. If such a Soldier escape from the Army without Punishment, he shall be liable to the same, to be inflicted upon him by any Justice of Peace in those parts where he shall be apprehended, unless he bring sufficient Testimony from the Commander, that the Horse or Arms were otherwise lost, or employed in the Kings Service.

XIV. It is Felony (without benefit of Clergy) for a Soldier retained, to depart without Licence of his Commander, whereupon Justices of Peace may proceed as in case of Felony.

XV. The Commissioner or Captain that licenseth any person retained, and assumeth another for gain, or which giveth to any Licence to depart without Warrant from the Commander, shall Forfeit 20*l.* to the King for every Person so let go.

XVI. The Lieutenant General, or other Officer, that receives more Wages for Soldiers than there is cause, and doth not every Month (by a Note in Writing) acquaint the Treasurer of the Army with every Soldiers entry into Pay, death or departure, shall Forfeit 5*l.* to the King, suffer one Months Imprisonment, and lose his Place.

XVII. None but the Commander shall Licence any, in pain of Imprisonment both of the Licencer and Licensed, at the discretion of the said Commander.

XVIII. The

XVIII. The Lieutenant-General shall command this Act to be proclaimed in the Army once every Month, and every Governor in his Fortress once every three Months.

XIX. Every person which shall inform the Lieutenant of any of these Offences, shall have a Months Pay belonging to him that is faulty.

XX. This Act shall not prohibit Officers to retain yearly 6 s. 8 d. for the Coat of a Yeoman, and 12 s. 4 d. for the Coat of a Gentleman; neither shall it be prejudicial unto them, when the lack of Soldiers is not through their default, nor when they have under them a Retinue of Soldiers, or for Non-payment of the Kings Wages to their Household-servants; neither shall it extend to prohibit relief of Tenants or Friends towards Service in War, or the detaining of Soldiers Wages upon lawful causes.

XXI. Stat. 43 El. 3. The more part of the Justices of Peace yearly in their *Easter* Sessions, have power to charge every Parish towards a weekly relief of maimed Soldiers and Mariners, so that no Parish pay weekly above 10 d. nor under 2 d. nor any County which consists of above 50 Parishes pay above 6 d. one Parish with another: which Sums so Taxed shall be Assessed in every Parish by the Parishioners, or (in their default) by the Churchwardens and Constables, or (in their default) by the next Justice or Justices of Peace.

XXII. The Constables and Churchwardens of every Parish have power to Levy the Tax of every person refusing to pay it by Distress and Sale; and (in their default) the said Justice or Justices next adjoyning.

XXIII. The Tax being thus Levied, the Constables and Churchwardens shall deliver it Quarterly (ten days before every Quarter Sessions) to the High Constable of their Division, who shall deliver it over to the Treasurers of the County at the same Quarter Sessions.

XXIV. The Treasurers shall be Subsidy-men, viz. of 10 l. in Land, or 10 l. in Goods, and shall not continue in their Office above one Year, rendering up their Accounts yearly at *Easter* Sessions, or within ten days after, to their Successors.

XXV. The Officer, his Executors, &c. that fails in payment of the Sums Levied, shall Forfeir, viz. the Churchwardens or Constables 20 s. and the High Constables 40 s. which the Treasurers have power to Levy (by Distress and Sale) in Augmentation of their Stock.

XXVI. The Treasurer (or his Executor, &c.) that hath been negligent to execute his Office, or to render an Account within the time above limited, shall be fined by the Justices of Peace in the Sessions, 5 l. at least.

XXVII. The maimed Soldier or Mariner which was Prest, shall repair (if he be able to travel) to the Treasurers of the County where he was Prest; if he were not Prest, then to the

Treasurers of the County where he was born, or where he last dwelt by the space of three Years, at his Election: but if he be not able to Travel, then to the Treasurers of the County where he Lands.

XXVIII. He shall bring to any of the Treasurers aforesaid a Certificate under the Hand and Seal of the chief Commander, or of the Captain under whom he served, containing the particulars of his Hurts and Services: which Certificate shall be also allowed by the Muster-Master, or the Receiver General of the Muster-Rolls, under one of their Hands.

XXIX. Upon such a Certificate, the Treasurers aforesaid may allow him relief to maintain him until the next Quarter Sessions, at which the more part of the Justices may allow him a Pension, which the Treasurers shall pay him Quarterly, until it shall be revoked or altered by the said Justices: And this Allowance to him that hath not born Offices shall not exceed 10 £. to an Officer under a Lieutenant 15 £. to a Lieutenant 20 £.

XXX. When Soldiers or Mariners arrive far from the Place where they are to receive Relief, the Treasurers there shall give them Relief and Testimonial, whereby they may pass from Treasurer to Treasurer, until they shall come to the Place required. And this shall be done upon the Certificate of the Commander and Captain, although they have not as yet obtained any Allowance thereof from the said Muster-Master or Receiver-General of the Muster-Rolls.

XXXI. The Treasurers shall Register their Receipts and Disbursements, and enter the Names of the Parties relieved, and also the Certificate by Warrant, whereof the Disbursements are made: the Muster-Master also or Receiver aforesaid shall Register the Names of the Parties, and the Certificates, by him allowed: and the Treasurer returning, or not allowing the Muster-Masters Certificates, shall thereupon Subscribe or Endorse the cause of his not Allowance.

XXXII. Justices of Peace in Sessions have power to Fine a Treasurer that wilfully refuseth to give Relief, which any two of them (appointed by the rest) may Levy by Distress and Sale of Goods.

XXXIII. A Soldier or Mariner that begs, or counterfeits a Certificate, shall suffer punishment as a common Rogue, and shall lose his Pension, if he have any.

XXXIV. The Surplusage of this Contribution shall be employed by the more part of the Justices in Sessions upon charitable Uses, according to the Statutes made for the Relief of the Poor, and Punishment of Rogues.

XXXV. In Corporations the Justices there shall put this Act in Execution, and not the Justices of the County, and shall be liable to Fines as well as other Justices, if they misuse their power therein, and shall appoint a Collector of this

this Tax, which shall have the Power, and be subject to the Penalties limited (by this Act) to high Constables of the Counties.

XXXVI. The Forfeitures accruing by this Act shall be employed as the surplusage abovesaid, or otherwise kept in Augmentation of the Stock, as the more part of the Justices in Sessions shall direct.

XXXVII. When out of the County where the Party was Prest a fit Pension cannot be satisfied, it shall be supplied by the Counties where he was born, or where he last dwelt by the space of three years.

XXXVIII. This Act shall not prohibit the City of London to make a Tax (if need require) differing from that above limited ; so that no Parish pay above 3 s. weekly, nor above or under 12 d. weekly, one Parish with another.

XXXIX. Stat. 12 Car. 2. cap. 16. All Officers and Soldiers who were under the Command of the Captain-General of the Kings Forces on the 25th of April 1660. and have not since deserted the Service, or refused to take the Oaths of Supremacy and Allegiance, may exercise any Handicraft or Trade exercised about Manufactures, in manner following, viz. such as have been Apprentices may exercise such Trades as they were bound to, though they served not out their Time, with like Immunities as if they had: and all others, such Trades as they are apt and able for, in the Towns and Places within the several Counties where they were born: and if Impleaded or Indicted for the same, they may Plead the General Issue, and shall have double Costs if a Verdict pass against the Prosecutor, or if he be Non-suit or Discontinue. Judges and Jurors are to take notice of this Act.

XL. The Service aforesaid must be proved by a Certificate under the Hand and Seal of some Field-Officer, and two Commission-Officers of the Regiment where the Party served, or some General Officers of the Army, certifying his knowledge of such Service, the said Certificate to be proved by one Witness, or for default of such Certificate by the Oaths of two Witnesses.

XLI. If any Persons produce a false Certificate, they shall suffer Imprisonment, not exceeding six months, and lose the benefit of this Act.

XLII. Stat. 13 & 14 Car. 2. cap. 9. An Act for the Relief of Poor and Maimed Soldiers and Officers, who have faithfully served his Majesty and his Royal Father during the late Wars. *Expired.*

XLIII. Stat. 31 Car. 2. cap. 1. No Officer, Military or Civil, or other Persons, shall Quarter or Billet any Soldier upon any Inhabitant of this Realm, without his Consent, and every such Inhabitant may refuse to Quarter any Soldier notwithstanding

Captives, Castles and Fortresses, &c. 67

standing any Order whatsoever. *Suspended till the first day of March, 1693. per Stat. 4 & 5 W. & M. Sess. 4. cap. 13. Sect. 8. & 18.*

Captives.

I. Stat. 16 & 17 Car. 2. 24. An Act for the Relief of them taken by *Turkish, Moorish*, and other Pirates, and to prevent the taking of others in time to come. *See the Statute at large.*

Castles and Fortresses.

I. Magna Charta, 19. No Constable of Castle, or his Bailiff, shall take Provision of a Stranger without ready Money; and one that dwelleth where the Castle is, shall be paid for it within forty days.

II. Magna Charta, 20. A Knight shall be freed from Castle-guard, doing the Service by himself or another, or being with the King in his Host.

III. West. 1. 7. 3 E. 1. No Constable or Castellane shall exact any thing of any but such as reside in their Town or Castle, unless it be an ancient price due to the King, Castle, or Lord of the Castle.

Certificate of the Cause of Attainder, &c.

I. Stat. 34 & 35 H. 8. 14. The Clerks of the Crown Assise and Peace, shall certifie unto the Kings Bench the tenor of every Indictment, Outlawry or Conviction, and Clerks Attaint, had before them respectively for any Felony, or other Offence, and that within 40 days next after such Attainder, Conviction, or Outlawry, if it be Term-time; otherwise within 20 days after the beginning of the Term next following the 40 days; and shall also deliver a Transcript of the Indictment to the Ordinary to whom the Person Attainted is committed; and all this in pain of 40 s. to the King and Prosecutor. *But note, that the Transcript to the Ordinary need not now, since the Statute of 18 Eliz. 7. which see after in Clergy.*

* II. The Clerk of the Crown shall receive such Certificates, in pain of 40 s. for every one refused.

III. When the Indictment containeth more Names than are convict, a Transcript containing only the Names of such as are convict shall serve.

IV. The Clerk of the Crown being sent to by the Justices of Goal-delivery or Peace for the Name of any Person so convict and certified, shall without delay send a Certificate thereof in pain of 40 s.

V. No Certificates out of *Wales, Chester, Lancaster, Duresm.*

Cessavit.

I. Gloucester, cap. 4. 6 E. 1. If a Fee-Farmer cease to pay his Rent two years together, the Lessor shall have a *Cessavit* against him, and recover the Land, unless before Judgment to pay the Arrearages, and give Security to pay duly for the future.

II. West. 2. cap. 21. 13. E. 1. A *Cessavit* by the Chief Lord against his Free-hold-Tenant that ceaseth *per bien nium*.

III. A *Cessavit* is maintainable by the Heir of the Demandant against the Heir or Assign of the Tenant.

Challenge.

I. Stat. De Inquis. 33 E. 1. If one challengeth a Juror for the King, he shall forthwith assign the Cause, which shall be presently Tried by the discretion of the Justices.

II. If he alledge not a good Cause, or it go against him, the Inquest shall be forthwith taken.

III. Stat. 7. H. 7. 5. *Riens deins le Garde* shall not be admitted for Challenge in London.

IV. Stat. 33 H. 8. 23. Peremptory Challenge shall not be admitted in Cases of High Treason, or Misprision of Treason.

V. Stat. 1 E. 6. 12. All Statutes made during the Reign of H. 8. touching Challenges and Foreign Pleas are confirmed.

Champerty.

* I. West. 1. 25. 3 E. 1. No Officer of the King shall maintain Plea of Lands or other things, to have part thereof, or other profit by Covenant between them made, in pain to be punished at the Kings will.

II. West. 2. 49. 13 E. 1. The Chancellor, Treasurer, Justices, or any of the Kings Council, Clerks of Chancery, Exchequer, or of any Justice or other Officer, or any of the Kings House, Clerk or Lay, shall not receive any Church or Advowson, Land or Tenement in Fee, by Gift, by Purchase, or to Farm, by Champerty or otherwise, so long as the same thing is in Plea, nor shall take any Reward thereof, in pain to be punished at the Kings will, both Buyer and Seller.

III. Stat. 33 Ed. 1. made at Berwick. The Attainted of Champerty shall suffer three years Imprisonment, and be Finable at the Kings will: where you have also the Form of a Writ for remedy thereof, to be issued out by Gilbert de Thornton.

IV. Artic. super Chart. 11. 28 E. 1. None shall take upon him a Business in Suit with an intent to have part of the thing Stued for, neither shall any upon any such Covenant give up his Right to another; in pain that the Taker shall Forfeit to the King

Chancery, Masters in Chancery.

69

King so much of his Lands and Goods as do amount to the value of the part so purchased for such Maintenance, to be recovered by any that will Sue for the King in the Court where the Plea hangeth.

V. This shall not prohibit any to take Counsel at Law for the Fee, or of his Parents or Friends.

VI. Stat. 33 E. 1. Anno Domini 1304. Champertors are such as move Pleas and Suits, or cause them to be moved, either by themselves or others, and prosecute them at their own charge, to have part of the thing in variance, or part of the gains.

VII. Stat. 33 E. 1. Anno Domini 1305. None of our Court of Pleaders, Attornies, Stewards, Bailiffs, or any other, shall take any Plea or Suit to Champerty, or for Maintenance; in pain that they, together with the Consenters thereunto, shall suffer three years Imprisonment, and be Fined at the Kings will. See also there the Form of a Writ for the same purpose, and also against Conspirators.

Chancery, Masters in Chancery.

I. Artic. super Chart. 5. 28 E. 1. The Chancellor and the Justices of his Bench shall follow the King, to the end he may have always near him such as be Learned in the Laws, to order matters that shall come to the Court.

II. Stat. 36 E. 3. 9. Whosoever findeth himself grieved with any Statute, shall have his remedy in the Chancery.

III. Stat. Car. 2. not Printed. The Office of the Masters in Chancery being of very ancient Institution, and necessary Attendance for dispatch of Business in the Court, and it being thought more proper and safe for the Subject in general, that Affidavits, Answers, Recognisances, and Acknowledgments of Deeds should be in some publick Place than in private Studies and Houses as formerly, and for the just Encouragement of the said Masters for their Attendance and Support in due discharge of their Places; Enacted, That one publick Office be kept, and no more, near the Rolls, in which the said Masters, some or one of them, shall constantly attend for the Administring of Oaths, Caption of Deeds, and Recognisances, and dispatch of all matters incident to their Office, (References upon Accounts, and insufficient Answers only excepted) from 7 a Clock in the Morning until 12 at Noon, and from 2 in the Afternoon until 6 at Night: and the said Masters may demand and take the Fees following, viz.

For every Affidavit or Oath taken in the said Office, 12 d.

For every Bill of Costs to be Taxed by them for the Plaintiffs not putting in his Bill, or not proceeding to reply, or for the Defendants not appearing in due time, 2 s. 6 d.

For the Acknowledgment of every Deed to be Enrolled, 2 s.

For the Caption of every Recognisance, 2*s*.
 For every Exemplification examined by two of the said Masters, to each of the said Masters who shall examine the same, 2*s*.
 for every Skin of Parchment so examined, 2*s*.

For every Report or Certificate to be made in pursuance of any Order made upon hearing of the Cause, 20*s*.

And for every other Certificate or Report of any other made upon Petition or Motion only, 10*s*.

To be paid by the Party that takes out the Report or Certificates.

And if any Master directly or indirectly receive any Money, Fee, Reward or Promise otherwise, or for any other matter in this Act than as aforesaid, every such Master, after legal conviction, to be disabled from the Execution of his office, and Forfeit to the Party grieved so much Money as he shall take contrary to this Act, and moreover an 100*l*. one moiety to the King, and the other to the Party grieved that shall Sue for the same.

And several Tables of the said Fees to be set up in the said Office, and in the Chapel of the Rolls, that all Parties may take notice thereof. See Clerks of the Chancery.

Chelsey.

I. Stat. 7 Jac. 1. 9. A College shall be erected at Chelsey, and a Trench shall be made to convey Water from the River of Lee to London, to maintain the same.

Chester and Cheshire.

I. Stat. 1 H. 4. 18. If any Inhabitant of the County of Chester commit Murder or Felony in another County, Process shall be made against him to the *Exigent* in the County where the Offence was done; and if he then fly into Cheshire, the *Exigent* or Outlawry shall be certified to the Officers of Cheshire, who shall thereupon take the Offender, and seise his Lands and Tenements, and Goods and Chattels, for the Princes use: The King shall also have his year, day and waste; likewise his Lands and Goods in other Counties shall remain Forfeit to the King, and other Lords having thereof Franchise. The like Process and Proceedings shall be also had against the Offender in Battery or Trespass so committed, and his Goods and Chattels shall be Forfeited to the King, Prince, or Lord respectively, as aforesaid.

II. Stat. 27 H. 8. 5. Justices of the Peace, *Quorum* and Goal-delivery, are to be nominated and made in Chester and Wales by the Lord Chancellor, or Keeper of the Great Seal of England, in like manner as within the Realm of England: which Justices shall certify their Extracts, and the several Sheriffs

Sheriffs make their Accounts, as in the said Statute is directed.

III. The Justices and Clerks of the Peace shall have like Fees as in *England*, and inferior Officers shall be attendant to the Justices.

IV. Stat. 32 H. 8. 43. Sessions shall be kept by the Justices for the time being in the County of *Chester* twice in the Year only, viz. at *Michaelmas* and *Easter* Sessions; and the old Order of keeping the County days shall cease.

V. Stat. 33 H. 8. 13. The Sheriff of the County of *Chester* shall keep his County Court Monthly in the Shire-Hall of the said County.

VI. The Justice or his Deputy may keep their two Sessions at what time of the year they please, so they cause them to be proclaimed 15 Days before.

VII. Stat. 34 H. 8. 13. The County of *Chester* shall have Two Knights, and the City of *Chester* Two Burgesses for the Parliament.

VIII. No Writ of Course in the nature of a Protection shall be granted in the County Palatine of *Chester*.

IX. Stat. 2 & 3 E. 6. 31. All Recognisances of Statute-Merchant, &c. acknowledged before the Mayor of *Chester*, shall be good in Law.

X. Stat. 43 El. 15. Fines may be Levied before the Mayor of the City of *Chester* for Lands lying there.

XI. A *Dedimus Potestatem* may be granted by the Mayor of *Chester* to take the Acknowledgment of a Fine.

XII. Howbeit, Fines taken before the Mayor, may (upon error) be reversed before the High-Justice of the County Palatine of *Chester*.

Chirographers.

I. Stat. 2 H. 4. 8. The Chirographer or his Deputy shall take but 4 s. for a Fine, in pain to Forfeit his Office, be judged before the Court, suffer a Years Imprisonment, and pay treble Damages to the Party grieved, to be recovered before the Justices of the same Court.

Church-yard.

I. Stat. *Na Rectores prosternant arbores in cimiterio*, 35 E. 1. Parsons of Churches shall not cut down Trees growing in the Church-yards, unless for the necessary Repair of the Chancel, or (in Charity) of the Body of the Church.

See Title Fighting and Quarrelling. And see Arrests, N. 1, 2, 3.

Citation, Clap-board.

Citation.

I. *West. 2. 43. 13 E. 2.* Hospitallers and Templars shall draw none into Suit before the Keepers of their Priviledges; neither shall their Keepers Cite any to the prejudice of the King or Crown.

* II. *Stat. 23. H. 8. 9.* None shall be Cited to appear out of the Diocese or peculiar Jurisdiction where he or she dwelleth, except by some Ecclesiastical or other Person within the Diocese or other Jurisdiction whereunto he is so Cited, for some Offence or Cause committed, contrary to Right or Duty, or upon an Appeal or other lawful Cause, or when the Judge dares not, nor will not cause him to be Cited, or in any way party to the Suit, or at the instance of the Inferior Judge to the Superior, where the Law Civil or Canon doth allow it, and all this in pain to Forfeit double Damages to the Party grieved, and 10*l.* to the King, to be divided betwixt him and the Prosecutor.

III. The Archbishop may Cite for Heresie in any Diocese within his Province, upon consent or neglect of the Bishop or Judge there.

IV. This Act shall not restrain the Jurisdiction of the Prerogative Court for Probate of Testaments.

V. The Ecclesiastical Judge shall take but 3*d.* for a Citation, upon the pains aforesaid.

Clap-board.

I. *Stat. 35. El. 11.* For every six Ton of Beer Exported, the same Cask, or as good, or 200 of Clap-Board fit to make Cask, shall be Imported, or (if they be Transported into Ireland) 200 of a Shaffold-Board; which Clap-Board or Shaffold-Board by a Stranger shall be left here before the Beer be Exported, but by a Subject shall be left here, or provided within four Months after.

II. The Clap-Board shall contain 3 Foot 2 Inches (at least) in length, and the Cask shall be entred at the Custom House.

III. The same Law for Strangers that Transport Fish in Cask, and the Penalty of breaking the Laws is the Forfeiture of their Beer, Fish and Cask.

IV. None shall Transport any Wine-Cask with Beer or Beer-eager, or Wine Cask shaken, except for Victualling of a Ship or other Vessel, or some of her Majesties Garisons beyond Sea, in pain to Forfeit 40*s.* for every Ton of Cask so Transported.

V. This Act shall not prohibit the Transportation of Herrings in Cask.



Clergy.

I. *West.* 1, 2, 3 *E.* 1. A Clerk convict for Felony, and delivered to the Ordinary, shall not be enlarged without due purgation.

II. *Stat. De Bigamis*, 5, 4 *E.* 1. *Bigamus* shall not be allowed Clergy.

III. *Artic. Cleri*, 15, 9 *E.* 2. A Clerk flying into the Church for Felony shall not be compelled to abjure.

IV. *Artic. Cleri*, 16, 9 *E.* 2. The privilege of the Church being demanded by the Ordinary, shall not be denied to a Clerk that hath confessed Felony, who is called an Appealor or Approver.

V. *Stat.* 18 *E.* 3. *pro Clero*, 2. Bigamy shall not be Tried by Inquest, but by Certificate from the Ordinary, until which time the party shall remain in Prison, unless Bailable.

VI. *Stat.* 25 *E.* 3. *pro Clero*, 4. Every Clerk convicted of any Treason or Felony (not touching the King himself) shall be delivered to the Ordinary.

VII. *Stat.* 25 *E.* 3. *pro Clero*, 5. A Clerk shall be Arraigned of all his Offences at once.

VIII. *Stat.* 4 *H.* 4. 2. The words *Insidiatores viarum Et depopulatores agrorum*, shall not be put in Indictments or Appeals.

IX. Clerks shall be allowed their Clergy, notwithstanding an Indictment hath the words aforesaid inserted in it.

X. *Stat.* 4 *H.* 4. 3. A Clerk convict shall make purgation according to a Constitution made by *Simon* Archbishop of *Canterbury*.

XI. *Stat.* 4 *H.* 7. 13. The benefit of Clergy shall be allowed but once.

XII. A convict Person shall be marked openly before the Judge upon the Brawn of his left Thumb, viz. with an *M* for Murder, and with a *T* for another Felony.

XIII. He that is within Orders, upon asking of his Clergy, shall shew his Orders, or his Ordinaries Certificate.

XIV. *Stat.* 12 *H.* 7. 7. No Lay-person that doth Murder his Lord or Master shall have his Clergy.

XV. *Stat.* 23 *H.* 8. 1. None (except Clerks within Orders) which by the Law shall be found guilty of petty Treason, Murder, Sacrilege, Burglary, Robbery, or House-breaking, nor their Accessaries, shall be admitted to the benefit of Clergy.

XVI. A Clerk within Orders, being Principal or Accessary to any of the Offences abovesaid, shall not be admitted to his purgation, nor be enlarged by the Ordinary, until he shall have bound himself with two good Sureties before two Justices (1 *Quorum*) to be of good behaviour.

XVII. This

XVII. This Act shall give no benefit to any Persons which after Outlawry or Attainder for Felony or Murder are admitted to their Clergy, but that such shall still remain in the custody of the Ordinary without making purgation.

XVIII. The Ordinary may degrade a convict Person, and send him to the Kings Bench, where the Justices shall have power to give Judgment upon him, according to which he shall be executed.

XIX. Stat. 23 H. 8. 11. A convict Person within Orders shall be delivered to the Ordinary, there to remain without any Purgation: Yet may the Ordinary (in that case) degrade him, and send him to the Kings Bench, where the Justices may proceed against him as before.

XX. Stat. 25 H. 8. 3. None shall have benefit of Clergy, which being accused of any of the Offences mentioned in the 23 H. 8. 1. are found guilty and mute, challenge above twenty, or answer not directly; albeit the Offence were committed in another County than where they were Tried.

XXI. Stat. 26 H. 8. 12. A remedy where there be no Justices of Peace in that County in *Wales* where the Clerk convict doth remain in Prison.

XXII. Stat. 28 H. 8. 1. Such as be within holy Orders shall receive no other benefits of Clergy than others do. Stat. 32 H. 8. 3.

XXIII. Stat. 37 H. 8. 8. None Attainted for Horse-stealing shall have the benefit of Clergy. See 2, 3 E. 6. 33.

XXIV. Stat. 1 E. 6. 12. All Felons shall have the benefit of Clergy, save only such as shall be found guilty of Murder, Poisoning, Burglary, Robbery, Horse-stealing or Sacrilege, or which upon their Arraignment of any of the same Offences confess the same, stand mute, or make no direct answer thereunto. See also for Horse-stealing the Statute of 2, 3 E. 6. 33.

XXV. This Act shall not extend to Treason, Petty Treason, or misprison of Treason.

XXVI. A Peer of the Realm, for his first Offence of Felony, though he cannot Read, shall be admitted to his purgation, as a Clerk convict.

XXVII. *Bigamus*, being a Felon, shall be admitted to his Clergy as well as any other.

XXVIII. Stat. 5, 6 E. 6. 9. Clergy shall not be admitted to a Burglar, although the Offence be committed without the notice of the Owner, Children or Servants, or any of them, being within the House or Precincts of the same: so it is also for Burglary committed in Booths or Tents.

XXIX. Stat. 5, 6 E. 6. 10. The Statute of 25 H. 8. 3. shall stand in Force concerning the Trial of Offenders in another County than where the Offence was committed, notwithstanding the Statute of 1 E. 6. 12. which seems to take away the Force thereof; so that such an Offender shall not have his Clergy, albeit the

the Trial happen to be in another County than where such Offence was committed.

XXX. Stat. 4, 5 P. & M. 4. Accessories (before the Fact) which are found guilty of Petty Treason, Murder, Burglary, Robbery, or House-burning, or which upon their Arraignment for these Offences stand mute, challenge above twenty, or answer not directly, shall not enjoy the benefit of Clergy.

XXXI. In this case Peers shall be Tried by their Peers.

XXXII. Stat. 8 El. 4. None that taketh any thing privily or feloniously from the Person of another, or upon his Arraignment shall confess the same, nor answer directly, stand mute, challenge above twenty, or be outlawed for it, shall have the benefit of his Clergy.

XXXIII. One delivered to the Ordinary, and admitted to his Clergy shall (notwithstanding his Purgation) answer for Offences formerly committed.

XXXIV. Stat. 18 El. 7. None shall have Clergy that committeth Rape or Burglary.

XXXV. An Offender admitted to his Clergy, after burning in the Hand, shall not be delivered to the Ordinary, as hath been used, but shall thereupon be enlarged by the Justices before whom such Clergy shall be granted, or by them detained longer in Prison at their discretion, so it be not for longer time than one whole Year.

XXXVI. To know a Woman carnally under the age of ten Years is Felony.

XXXVII. One admitted to his Clergy shall nevertheless answer for other Felonies.

XXXVIII. Stat. 39 El. 9. He that taketh away a Woman against her will (having Lands or Goods, or being Heir apparent to her Ancestor) contrary to the Statute of 3 H. 7. 2. or being Arraigned for such Offence, stands mute, answers not directly, or challengeth above twenty, shall not have the benefit of Clergy.

XXXIX. The same Law against Procurers and Accessories before such Offences committed.

XL. Stat. 39 El. 15. Clergy shall not be allowed to any that Feloniously takes away any thing in the day-time amounting to the value of 5 s. out of any Dwelling-house, or Out-house, albeit no Person be within or near the same.

XLI. Stat. 1 Jac. 1. 8. He that stabs or thrusts any Person, not having a Weapon drawn, or not striking first, so that he Dies thereof within six Months after, although it be not of Malice or Fore-thought, shall not enjoy the benefit of Clergy.

XLII. This Act shall not extend to Charge any of stabbing or thrusting, when it is done only *se defendendo*, by misfortune, or in chastising his Child or Servant, with no purpose to commit Man-slaughter.

XLIII. Stat.

XLIII. Stat. 21 Jac. 1. 6. For Felony where the Man may have his Clergy, the Woman shall be burned in the Hand with an hot Iron.

XLIV. Stat. 22 Car. 2. cap. 5. No Persons who shall be Indicted for cutting and taking, stealing or carrying away Cloth or other Woollen Manufactures from the Rack or Tenter in the Night-time : Or for any Offence against the 31 *El. cap. 4.* Or shall Feloniously steal or imbezzel any of the Kings Naval Stores to the value of 20 s. and be found guilty, or shall confess the same, or not answer according to Law, or stand mute, or challenge peremptorily above twenty, or be Outlawed, shall have their Clergy.

XLV. But the Court may grant a Reprieve, and cause such Offender to be Transported to any of the Kings Plantations beyond Sea for seven Years, there to be kept to labour: And if he refuse to be Transported, or after Transportation return, in every such case the Persons so returning shall be put to Execution upon the Judgment.

Clerks of the Chancery.

I Stat. De Sacramento Clericorum Cancellaria, 18 E. 3. The Form of the Oath of the Clerks of the Chancery.

II. Stat. 14 H. 8. 8. The six Clerks of the Chancery may marry Wives, and yet enjoy their Offices.

Clerk of the Crown.

*** I. Stat. 2 H. 4. 10.** When divers Persons are joyntly Indicted, the Clerk of the Crown shall take but one Fee, viz. 2 s. for them all, and not several Fees for each Person.

Clerk of the Market.

*** I. Stat. 13 R. 2. 4.** The Clerk of the Market of the Kings House shall execute his Office duly, and all false Weights and Measures shall be burnt.

II. The said Clerk shall take no common Fine, but every one shall be punished according to their demerit.

III. He shall not ride with above six Horses, and shall tarry no longer in a place than need requireth.

IV. If he offend against this Law, he shall pay to the King for the first time 5 l. for the second 10 l. for the third 20 l.

*** V. Stat. 16 Car. 1. 19.** There shall be one Weight and one Measure, according to the Standard of the Exchequer, throughout

out the Realm, and every Measure of Corn shall be striked without heap.

VI. Whosoever shall sell, buy or keep any other Weight or Measure whereby any thing is bought or sold, after six months after this Session of Parliament, shall Forfeit for every such Offence 5 s. being thereof lawfully convicted by the Oath of one Witness before a Justice of Peace, Mayor, or other Head-Officer, (in their several precincts respectively) who shall have power to Administer an Oath in that behalf; which said Forfeiture shall be Levied by the Churchwardens and Overseers of the Poor (or one of them) where the Offence shall be committed, to the use of the Poor there, by Distress and Sale of Goods, rendring the Overplus to the Party offending: and in default of Distress, the Justice, Mayor or Head-Officer may commit the Offender to Prison, until he shall pay the Sum forfeited.

VII. The Clerk of the Market of the Kings or Princes Household, and his Deputies, shall only execute their Offices within the Verge, and not elsewhere: and Head-Officers of Corporations, and Lords of Liberties, and their Deputies, may execute theirs in their several Precincts, as they might have done before this Act was made.

VIII. If any of the Officers aforesaid shall Seal any Weight or Measure which is not agreeable to the said Standard, or shall refuse to Seal such as are agreeable thereunto, (the Party paying only such Fees for the allowance thereof as are warranted by Statute, or some ancient Custom) they and their Deputies (respectively) shall for every such Offence Forfeit 5 l. to be Levied as aforesaid, to the use of the Poor where the Offence was committed.

IX. If they shall take any other Fine, Fee, Reward or Sum of Money, than what are allowed by Statute, or some such ancient Custom, for the Signing or Examination of any Weights or Measures which have been formerly Marked or Sealed, or shall impose any Fine or Amerciament without a legal Trial of the Offence, or shall otherwise misdemeanor themselves in the Execution of their Office, and shall be thereof lawfully convict, they shall Forfeit for the first Offence 5 l. for the second 10 l. and for every other Offence 20 l. to be Levied as aforesaid, to the use of the Poor where the Offence was committed.

X. He that is Fined or Amerciated by this Act, shall not be again punished for the same Offence by force of any former Law or Statute.

XI. This Act shall not extend to the Measure of Rent-corn, nor to Water-measure, nor to Colleges or Societies.

XII. If any Officer authorized to execute this Statute shall be Impleaded for any act he shall do therein, he shall plead the General Issue, *Not guilty*, and yet give this Statute, or any

78 Clerks of Signet and Privy Seal, &c.

any other special matter, in Evidence: and if he be found *Not-guilty*, or the Plaintiff be Non-suited, he shall recover treble Costs.

Vide plura Tit. Weights and Measures.

Clerks of Signet and Privy Seal.

I. Stat. 27 H. 8. 11. How and in what manner the Kings Grants, Writings and Leases shall pass the Privy Signet, the Privy Seal, and the Great Seal; and in what time they shall pass those Seals; and the Forfeitures set upon the Clerks of the Privy Signet and Privy Seal, for not doing their Duty, and what Fees they shall take for those Writings, and what Fees shall be paid to any Person for the same; and how and where such Writings shall come to the Great Seal, with an immediate Warrant, and not pass the Signet or Privy Seal, and what Fees shall be then paid therefore; and how and under what Seals the Kings Leases, Grants and Writings of Lands or Offices of the County Palatine or Dutchy of *Lancaster* shall pass; and what Grants, Leases or Writings for the King may be made without his Warrant, and divers Articles at large concerning these matters: For these see the Statute it self at large.

Coals.

I. Stat. 16, 17 Car. 2. cap. 2. After the 6th of *March*, 1664. all sorts of Sea-Coals brought into the River of *Thames* and sold, shall be sold by the Chalders, containing 36 Bushels heaped, and according to the Bushel Sealed for that purpose at *Guild-Hall, London*, and so proportionably.

II. All other Coals commonly sold by Weight, after 112 pound to the Hundred, upon pain of Forfeiture of all the Coals otherwise sold or exposed to sale by any Woodmonger or Retailer of Coals, and the double value thereof, to be Recovered in any Court of Record, or by complaint to the Lord Mayor of *London* and Justices of the Peace within the City and Liberties, or any two Justices of the Peace of the several Counties where such Coals shall be exposed to sale, who upon due proof upon Oath may convict the Offenders, and give Warrant under their Hands and Seals for Levying the Forfeitures, one half to the Person complaining, the other half for the Poor or Repairing High-ways within the same Parish, or any other adjoining Parish, by their Direction or Warrant.

III. The said Lord Mayor and Court of Aldermen of *London*, and Justices of Peace in their several Counties, or any Three of them, (1 *Quor.*) may set Rates or Prices upon such Coals

Coals to be sold by Retail, allowing competent clear profit to the Retailer.

IV. If any Ingrosser or Retailer refuse to sell, as aforesaid, they may appoint Officers or other Persons to enter into any Wharf or Place where such Coals are stored, and if refused, taking a Constable, force entrance, and sell the said Coals at such Rates, tending the Money to the Ingrosser or Retailer, necessary Charges deducted. This Act to Continue 3 years, and to the end of the next Session of Parliament, and no longer.

V. Provided no Person be sued upon any other Act for the same Offence, and that the General Issue may be pleaded by the Defendant to any Action upon this Act, and upon Verdict for the Defendant, or that the Plaintiff be Non-suit, to have Damages and double Costs.

VI. Provided that no Person having Interest in any Wharf used for receiving or uttering Coals, or Trading by himself or in any others Name, Ingrossing or Selling Coals, shall intermeddle in setting the Prices thereof. *Revised and Continued per Stat. 2 W. & M. Sess. 2. cap. 7. and per Stat. 7 & 8 W. 3. made perpetual.*

Collectors.

I. Stat. 18 H. 6. 5. None appointed to be a Collector of a Fifteen in a City or Borough, shall be also Collector in the same County, unless he may dispend in the County out of such City in Lands *5 l. per annum*, above all Reprises.

II. Stat. 13 & 14 Car. 2. cap. 17. Collectors and others Levying Money by virtue of any Act of Parliament now in force, and being Sued concerning the same, may plead the General Issue, and give the special matter in Evidence.

III. Stat. 20 Car. 2. cap. 2. All Receivers, Reeves, Bailiffs, Collectors and others, who having received Monies due to his Majesty, shall not pay the same before the *1st day of July, 1668.* shall from thenceforth answer and pay to his Majesty Damages after the rate of *12 l. per cent.* by the year, till the Principal be paid in.

IV. All Persons who having received any Monies due to the King, shall not pay the same to whom they ought to be paid according to Law within two months after such receipt, shall from thenceforth pay *12 l. per cent.* by the year, without abatement or installment: for the Levying whereof the Process of the Exchequer shall be forthwith awarded.

V. This Act shall not extend to Accounts of Sheriffs.

Commission and Commissioners.

I. Stat. 42 E. 3. 4. Commissions of Inquiries shall be made to the Justices of the one Bench or the other, Justices of Assise, Justices of Peace, with others of the most worthy in the Country, save in the Office of the Escheatorship.

II. Stat. 4 H. 4. 9. If any be Distrained by Writ out of the Exchequer, for not returning a Commission which never came to their hands, the Chancellor of *England* (calling to him some of the Justices, and the chief Baron, if need be) hath power to give remedy therein.

III. Stat. 7 H. 4. 11. Commissioners not receiving a Commission, shall be discharged thereof upon Oath.

IV. The Barons of the Exchequer have power to Administer the Oath, and to discharge them thereupon.

V. The Barons of the Exchequer, and the Justices of either Bench, have also power (by *Dedimus potestatem*) to receive such Oaths in the Country; and the Justices shall make Certificate thereof into the Exchequer, and thereupon also the Barons shall discharge the Commissioners, their Heirs, Executors, and Land-Tenants.

VI. Such Oaths are not to be taken but in case of Commissions of *Oyer* and *Terminer*, and of Enquiring and Certifying only.

Common Pleas.

I. Magna Charta, 11. 9 H. 3. Common Pleas shall not follow the Court, but shall be holden in some place certain.

II. Artic. super Chart. 4. 28 E. 1. Common Pleas shall not be holden in the Exchequer, contrary to the Form of the Great Charter.

Conditions.

I. Stat. 32 H. 8. 34. Grantees of Reversions may take advantage of Conditions and Covenants against Lessees of the same Lands, as fully as the Lessors, their Heirs or Successors, might have done.

II. Lessees may also have the like Remedy against the Grantees of Reversions which they might have had against their Lessors or Grantors, their Heirs or Successors; all advantage of recoveries in value, by reason of any Warrant in Deed or Law by Voucher or otherwise, only excepted.

Confirmation.

I. Marl. 5. 52 H. 3. The Great Charter, and that of the Forest, shall be duly observed and enquired of before the Justices

Justices in Eyre, and the Sheriffs in their Counties, and the Offenders shall be grievously punished by the King.

II. Stat. 25 E. 1. cap. 1, 2, 3, & 4. The Great Charters are confirmed, Judgments given against them shall be void; they shall be read in all Cathedral Churches, and Excommunication shall be pronounced against the Breakers of them.

III. Artic. super Chart. 1. 28 E. 1. The Great Charter, and that also of the Forest, shall be duly observed.

IV. They shall be read four times in the year in a full County-Court, viz. at the Counties after Michaelmas, Christmas, Easter, and St. John Baptist.

V. There shall be three Knights, or other substantial Men, chosen by the Commonalty in every County, to hear Plaints concerning the Charters, and to determine them without such delay as is used at the Common Law; but they shall not in their proceeding prejudice the Common Law or the Charters.

VI. They shall have their power by the Kings Writ under the Great Seal, and the Sheriffs and Bailiffs shall be attendant upon them.

VII. Stat. 1 E. 3. 1. The Great Charter, and that of the Forest, shall be duly kept and put in execution. See Anno 2, 4, 5, 10, 14, 28, 31, 36, 37, 42 & 45 E. 3. cap. 1. & 50 E. 3. cap. 2. & Anno 1, 2. Stat. 2, 5, 6. Stat. 1. cap. 1, 7. cap. 2, 8. & 12 R. 2. cap. 1. also Anno 1, 2, 4, 7, 9, & 13 H. 4. cap. 1. likewise Anno 4 H. 5. cap. 1.

VIII. Stat. 10 E. 3. 1. All Statutes not Repealed shall be kept and put in execution. See also 28, 36, 37, & 38 E. 3. cap. 1. & 1, 2. Stat. 2. 35. 6 cap. 1. 7. cap. 2. 8, 9. & 12 R. 2. cap. 1. & 15 R. 2. cap. 1. & 1, 2, 4, 7, 9, & 13. 4 H. 5. cap. 1.

IX. Stat. 42 E. 3. If any Statute be made contrary to Magna Charta, or Charta de Foresta, it shall be void.

X. Stat. 1 H. 4. 4. The Parliament holden in Anno 11 R. 2. shall be holden and kept according to the Purport thereof, as a thing done to the great Honour and common Profit of the Realm.

XI. Stat. 1 E. 4. 1. An Act was made, whereby was confirmed all Judicial Acts, Exemplifications, Concords, Recoveries, Process in Court, &c. made in the times of H. 4. H. 5. & H. 6. and all Grants and Letters Patents (of divers things mentioned in the said Act) made by any of the said Three Kings. See the Statute at large.

XII. The Confirmation of divers particular Statutes. See under their proper Titles.

XIII. Stat. 12 Car. 2. cap. 12. No Proceedings since the first of May, 1642. had or depending in any Courts of Law or Equity, or by any acting in obedience to them, or by any the Courts of Admiralty, Delegates, Commissioners of Sewers, Bankrupts or Charitable Uses, nor Probates of Wills, nor Letters of Ad-

ministration, shall be avoided for want of Legal Power in the said Courts, Commissioners, &c. or by reason of any alteration of Stiles, in which the Premises were held, or for that they were in the *English* or *Latin* Tongue.

XIV. Fines since the death of the late King shall be good, notwithstanding the not Entering, or not due Entering of any Sum *pro lito Concordandi*, or to the Party for the Concord; and Fines levied in *Michaelmas* Term last past, before one Judge only in the Court of Common-Pleas, shall be good notwithstanding.

XV. All Judicial Proceedings in the Court of Common-Pleas since the late Kings death, concerning Lands in the County Palatine of *Durham*, shall be good, notwithstanding the Lands were lying there.

XVI. Proceedings in the High Court of Justice, not confirmed by this Act.

XVII. All Indictments of Treason, and Proceedings thereupon, for adhering to both Houses of Parliament, or to the late King since the 1st of *May*, 1642. and before the 25th of *April*, 1660. and all Grants of Lands and Hereditaments, Escheated or Forfeited thereby; and all Titles to any mean Profits by reason thereof, are from henceforth discharged, and all Forfeitures by reason thereof, restored.

XVIII. Sales made by Ordinance of Parliament, since the 1st of *May*, 1642. shall be as though this Act had not been made.

XIX. All Securities given to any pretended power, and all Proceedings thereupon, not discharged by this or some other Act of this Parliament, or otherwise, shall be prosecuted in the Name, and to the use of his Majesty; other than Securities given by any Persons by reason of their adherence to the King or his Father, or arising only in respect of the late Troubles, or entered into by Order of any Council of State, Committee of Safety, Major General, Decimators, or any under them, or any other Military Power, all which are declared void.

XX. Non-claim upon Fines made good by this Act, shall not prejudice any right to Lands sold by Ordinance of both or either Houses of Parliament (other than of the Parties, their Heirs and Trustees) as then or late the Lands or Hereditaments of the King, Queen, or Prince, or Ecclesiastical Persons, or any Persons for their Acting in respect of the late Troubles: so as the said Right be pursued within Five years after the 29th of *May*, 1660.

XXI. All Indictments of High Treason, and Proceedings thereon, for Levying War against any Usurped Power, shall be void, and all Assurances, Statutes and Judgments made or suffered by any whose Attainder is hereby discharged, shall be as if no such Attainder had been. *Confirmed* 13 Car. 2. cap. 7.

 Conjuraton.



Conjurat[i]on, Incantment, and
Witchcraft.

* I. Stat. 1 Jac. 1. 12. If any shall be convicted to have used Invocation or Conjurat[i]on of any evil Spirit, or to have consulted, covenanted with, entertained, imployed, fed or rewarded any such Spirit, or taken up any dead Person, or the Skin, Bone, or other part thereof, to have used in Witchcraft, Sorcery, Charm, or Incantment, or to have used any of the said Arts, to kill, consume, and lame any Person, they, together with their Accessories before the Fact, shall suffer as Felons, without benefit of Clergy.

II. If any shall be convicted to have by Witchcraft, Sorcery, Charm or Incantment, undertaken to tell where any Treasure or Goods lost or stoln may be found, or are become, or to provoke any to unlawful Love, or to destroy or hurt any Cattle, Goods or Person, albeit the same be not effected; they shall for the first Offence suffer One years Imprisonment without Bail, once every Quarter of that year stand Six hours upon the Pillory in some open Fair or Market, and there make open Confession of the Offence committed; and for the second Offence shall suffer as Felons, without benefit of Clergy.

III. But in these Cases shall be no loss of Dower, or Disherison of Heir. And a Peer (being an Offender) shall be tried by his Peers.

Conspiracy.

I. Artic. super Chart. 10. 28 E. 1. Against Conspirators, false Informers, and Imbracers of Inquests, the King hath provided a Writ in the Chancery, and the Justices of either Bench and Justices of Assise shall upon every Plaint thereof award Inquests thereupon without Writ.

II. Stat. 33 E. 1. Conspirators are such as bind themselves by Oath or other Alliance falsely and maliciously to inflict, and falsely to move and maintain Pleas, and such as cause Children within age to appeal Men of Felony, and retain Men to maintain their malicious Enterprises; and this extendeth as well to the Takers as Givers: and also Stewards and Bailiffs, who by their power maintain Debates that concern not their Lords, but other Parties.

III. Stat. 7 H. 5. Whereas divers have been indicted for Treasons and Felonies supposed to be committed in Places, there being none such to be found: every Justice having power to hear and determine such Offences by the Oath of Twelve Men (whereof each shall have Free-hold within the County of the yearly value of 5 l. besides all Reprises) shall before Exigent enquire of

Office, whether there be (indeed) any such place or no : And if there be no such Place or Places in the County where no such Appeals or Indictments are made, they and the Process thereupon shall be void, and the Indicters shall be punished by Imprisonment, Fine and Ransom, at the discretion of the said Justices : and if any *Exigent* be awarded before Inquisition, it shall be also void. This Act to continue in force until the next Parliament.

IV. Stat. 9 H. 5. 1. The Statute of 7 H. 5. shall continue in force until the next Parliament after the Kings return from beyond Sea.

V. Stat. 18 H. 6. 12. The Statute of 9 H. 5. 1. made perpetual, because (H. 5. dying beyond Sea) some were of opinion it was Expired.

Constable and Marshal.

I. Stat. 8 R. 2. 5. The Constable and Marshal shall not have Cognisance of Pleas or Suits which ought to be discussed at the Common Law.

II. Stat. 13 R. 2. Stat. 1. 2. The Constable of *England* hath Cognisance of things concerning Arms and Wars, which cannot be discussed by the Common Law.

III. In this Court the Plaintiff shall plainly declare his matter in his Petition before the Defendant be sent for.

IV. When a Plea is commenced before the Constable and Marshal which may be Tried at the Common Law, the Party grieved shall have a Privy Seal to cause the Constable and Marshal to cease, until it may be decided by the Kings Council whether it may be Tried there or at the Common Law.

Contra Formam Collationis.

I. West. 2. 41. 13 E. 1. If Lands given to Abbies, Priories, Hospitals, or other Religious Houses, or to maintain a Chauntry, a Light, or Alms, be alienated, the King shall seise it, and the Purchaser shall lose both the Land and his Money.

II. If the House were founded by a Subject, he shall recover the Land by a Writ. *Which see in the Statute at large.*

III. If it were given to maintain a Chauntry, a Light, or Alms, and not alienated, but the Duty withdrawn Two years together, the Donor or his Heir shall recover it by *Cessavit*.

Conventicles.

Conventicles.

I. Stat. 16 Car. 2. cap. 4. An Act to prevent and suppress seditious Conventicles. *Expired.*

II. Stat. 22 Car. 2. cap. 1. If any of the Age of 16 years or upwards, being a Subject of this Realm, shall be present at any Conventicle under pretence of any Exercise of Religion, in other manner than according to the Church of *England*, at which there shall be Five or more besides those of the Household, where there is one, any Justice of Peace or Chief Magistrate of the Place, on Proof by Confession, Oath of Two Witnesses, or notorious Evidence of the Fact, may make a Record of such Offence, which Record shall be a Conviction, and set a Fine of 5 s. for the first Offence, which Record shall be certified at the next Quarter Sessions, and for the second 10 s. to be Levied by Distress and Sale of the Offenders Goods, or in case of Poverty, on the Goods of others then Convicted of the like Offence at the same Conventicle, so as the Sum Levied on any one amount not to above 10 l. on occasion of any one Meeting.

III. Constables, Headboroughs, Tything-men, Churchwardens and Overseers of the Poor, shall Levy the same by Warrant of the said Justice, or Chief Magistrate, &c. the Money to be delivered to the said Justice, or, &c. One third for the Kings use, which the Justices shall put into the Quarter Sessions, which Court shall deliver it to the Sheriff, and make a Record of such payment and delivery, which shall discharge the Justices, and charge the Sheriff, both which shall be certified into the Exchequer; another third to the Poor of the Parish where the Offence is committed, the other third to the Informer, and such as the Justices shall appoint, having regard to their Industry in Discovering and Dispersing such Conventicles.

IV. Every Person convicted, as aforesaid, of Preaching at any such Meeting, shall Forfeit for the first Offence 20 l. and if it be a Stranger, and his Name and Habitation not known, or he cannot be found, or be unable to pay, the Justice or, &c. may Levy it upon any Persons that were present: and for the second Offence, 40 l. to be Levied and Disposed, *ut supra.*

V. Every Person convicted, as aforesaid, of wittingly suffering any such Meeting to be held in his House, Yard, &c. shall Forfeit 20 l. to be Levied as aforesaid, and in case of his Poverty, upon Persons convicted of being present at the same, to be disposed as aforesaid.

VI. No Person shall be liable to pay above 10 l. for any one Meeting in regard of the Poverty of others.

VII. Where the Sum charged upon any Offender exceeds 10*s.* he may within a Week appeal in Writing to the Quarter Sessions, to whom the Justice, or chief Magistrate, &c. shall return the Money Levied, and certifie under Hand and Seal the Evidence, with the whole Record and the said Appeal, whereupon such Offender may Plead, and have his Trial by a Jury, and if he prosecute not with effect, or be not acquitted, or Judgment pass not for him, he shall pay treble Costs; and such causes of Appeal shall be finally determined in the Quarter Sessions.

VIII. Upon delivery of such Appeal, the Appealant shall enter into a Recognizance to prosecute with effect, which the Person convicting shall certifie to the Quarter Sessions, for want of which Recognizance the Appeal shall be void.

IX. Every such Appeal shall be left with the Persons convicting, at the time of the making thereof.

X. The Justices of Peace and chief Magistrates, &c. or the Constables, Headboroughs, &c. by Warrant from them, may with what assistance they think fit, break and enter any House where they shall be informed any such Conventicle is, within Liberties and without, and take into custody the Persons so Assembled: and the Lieutenants, Deputy-Lieutenants, or any Commissioned Officer of the Militia, or other the Kings Forces, with Horse and Foot, and the Sheriffs and other Ministers of Justice, with such Assistance as they think meet, on Certificate under Hand and Seal of any Justice of Peace or chief Magistrate, of such Meeting, that he is not able to suppress, may dissolve such Meetings, and take into custody such Persons as they think meet.

XI. No Dwelling-House of a Peer, where he or his Wife shall be resident, shall be searched but by a Warrant under the Sign Manuel, or in the presence of the Lieutenant, or one Deputy-Lieutenant, or two Justices of Peace, whereof one to be of the *Quorum*.

XII. If any Constable, Headborough, &c. knowing or being informed of such Meetings within his Precinct, shall not inform a Justice of Peace or chief Magistrate, &c. but they or others called in their Aid shall wilfully omit their Duty, and be convicted thereof, as aforesaid, they shall Forfeit 5*l.* to be disposed as aforesaid. And Justices of Peace, and chief Magistrates, &c. omitting their Duty shall Forfeit 100*l.* one moiety whereof to the Informer, to be recovered in any of the Kings Courts at *Westminster*.

XIII. Persons Sued for putting this Act in execution (otherwise than upon Appeal) may plead the General Issue, and if the Plaintiff be Non-suit, or a Verdict pass for the Defendant, or the Plaintiff Discontinue, or upon a Demurrer Judgment be for the Defendant, the Defendant shall have treble Costs.

XIV. This

XIV. This Act shall be construed largely for suppression of Conventicles, and encouragement of Persons employed in the execution of it; and no Proceedings upon this Act shall be impeached for default of Form: and if any offending against this Act shall be an Inhabitant in, or fly to any other County or Corporation after such Offence committed, the Justice of Peace or chief Magistrate before whom he shall be convicted, shall certifie it to any Justice of Peace or chief Magistrate of such other County or Corporation, who shall Levy the Penalties aforesaid.

XV. None shall be punished for any Offence against this Act, unless they be prosecuted within three Months after such Offence, nor having been punished by virtue of this Act, shall be punished for the same Offence upon any other Law.

XVI. Aldermen of London shall have the same Authority for convicting and punishing Offences against this Act in London and the Liberties thereof, which any Justice of Peace hath in any County of England, and under the like Penalties.

XVII. The Penalties of Feme-coverts cohabiting with their Husbands, shall be Levied on their Husbands Goods.

XVIII. No Peer of the Realm shall be Attached or Imprisoned by virtue of this Act.

XIX. The Kings Supremacy in Ecclesiastical Affairs saved, *Protestant Dissenters exempt from the Penalties of this Act,* per Stat. 1 W. & M. cap. 18. Sect. 4. *Preacher and Teacher exempt,* Sect. 8.

Conusance;

I. Stat. 9 H. 4. 5. Where in Assises and Pleas of Land or Rent within Franchises and ancient Demesne against certain Persons, the Names of the Mayors, Bailiffs or Commonalties in Franchises, and of the Lords or Bailiffs in Ancient Demesne, are therein also by Collusion inserted, supposing them also to be Disseisors, or Tenants of the Land, and with purpose to exclude them from the Conusance of the matter in Plea, which by reason of their Franchises and Liberties ought to be discussed before them; in such Assises and Writs the Justices shall (upon request) first enquire by the same Assise, whether they be (indeed) Disseisors or Tenants, or whether their Names be inserted by fraud, as aforesaid.

II. If it shall be found by fraud, the Assises or Writs shall abate, and the Plaintiff shall be grievously amerced, notwithstanding there be others named therein who are in truth Disseisors or Tenants.

III. Stat. 8 H. 6. 26. In Assises or personal Actions, if the Defendant make default by Collusion, with purpose that Mayors, Bailiffs,

88 Copyholds, Cordwainers, Curriers, &c.

Bailiffs, or other Commonalties, or Lords and Bailiffs, should lose their Jurisdictions, the Justices shall (upon request) enquire thereof by Assises or Inquests, where both the Plaintiffs and the Owners of such Franchises and Liberties may have their Challenges. And if Collusion be found, the Writs shall abate, and the Plaintiff shall be amerced.

Copyholds,

I. Stat. 7 Jac. 1. 21. Compositions made by Decrees in the Exchequer and Dutchy Chambers, with the Kings Copyhold-Tenants concerning their Copyholds, within three Years from the first Day of this Parliament, are confirmed, saving the right of others.

Cordwainers, Curriers, Tanners, and Leather.

* I. Stat. 27 H. 8. 14. None shall pack any Leather to be Transported but by a Packer sworn, in pain to forfeit the Leather, or the value thereof: And every Stranger shall pay for the Custom of a Dicker of Leather, 4 s. 9 d. and a Denizen, 4 s. 1 d.

II. The Controllers shall name and appoint a Toller in every Port where none are, and shall also give him his Oath for the due execution of his Office in the presence of the Customer and Controller, or his or their Deputy or Deputies.

III. The Fee for Tolling Leather is for every Dicker, of a Stranger, 6 d. whereof the Toller is to have 2 d. and the Commonalty there the rest; of a Denizen, 4 d. to be divided betwixt the Toller and the Commonalty; and of a Free man of the Port, 2 d.

IV. The Customers and Controllers shall also appoint and swear a Packer in every Port respectively, who may put up in one Pack as many Dickers under seven as the Owner of the Leather pleaseth; and his Fee is 4 d. a Pack.

V. If the Packer pack any Leather before it be Tolled and Entred by the Customer or his Deputy, or Pack more than shall be Entred, he shall forfeit for every such Offence 5 l. and suffer Imprisonment at the Kings pleasure: and if the Toller number any Leather in the absence of the Customer, Controller, or his or their Deputy or Deputies, he shall forfeit 5 Marks.

VI. If any Stranger, or his Factor, convey any Leather from one Port to another, with an intent to Transport it also afterwards from the second Port, he shall cause them to be Tolled, Entred and Packed, at the second Port, and shall have a Certificate thereof from the Customer there, in pain to forfeit the same, or the Value thereof.

VII. None

VII. None having a Tan-house shall Transport any Leather (without the Kings Licence,) in pain to Forfeit the same, or the Value thereof.

VIII. These Forfeitures shall be divided betwixt the King and the Prosecutor.

IX. This Act shall not prohibit a Captain of a Ship of the Kings in time of War, nor the Owner nor Master of a Ship bound for a Voyage, to take salt Hides with them, so they exceed not the number of 18. Also untanned Hides of Beasts killed in *Wales*, or the *Marches*, may be Transported notwithstanding this Act, except by one keeping a Tan-house.

* X. Stat. 5 & 6 E. 6. 3. None shall buy or ingross Leather, to the intent to sell the same again, in pain to Forfeit the same Leather, or the Value thereof, to be divided betwixt the King and the Prosecutor or Seiser.

XI. This Statute shall not restrain Girdlers, or other Artificers, to sell their Necks, Wombs, or Shreds; nor the buying of so much Leather as the Party which buys it hath License to Transport.

XII. None shall Transport Shoes, Boots, Buskins, Startops, or Slippers, in pain to Forfeit the same, or the Value thereof, to be divided betwixt the King and the Prosecutor or Seiser.

XIII. No Girdler, or other Cutter of Leather, shall Curry it in his own House, in pain to Forfeit the same, to be divided betwixt the King and the Prosecutor.

* XIV. Stat. 1. M. Parl. 3. 8. No Artificer using the Mystery of Leather-buying, shall buy any Leather, and sell the same again to be Transported, in pain to Forfeit the same, to be divided betwixt the King and the Prosecutor.

XV. No Curriers in *London* shall use their own Stuff, in pain to Forfeit the Leather otherwise Curried.

XVI. No Currier shall Curry any Hides betwixt *St. James-tide* and the *Lady-day*, but only such as have been sufficiently dipped twice in the Pan, in pain to Forfeit the same, to be divided as aforesaid.

XVII. A Currier shall Dress his Leather within the space of five Days in Summer, and of ten Days in Winter, in pain to Forfeit to the Party grieved for every Hide otherwise Dressed, 10 s.

* XVIII. Stat. 5 El. 22. None shall make any Pelts, viz. pull or take away any Wooll from any Sheep or Lamb-skins, or buy any kind of Stag, Hind, Buck, Doe, Goat, Fawn, or Kid, or the Pelts of any of them, unless they make thereof Tawed, or Leather lawfully Tanned, or Parchment, or otherwise convert the same into Semits, Pannels, or other their own necessary uses, in pain to Forfeit the Value of such Skins, and 2 s. 6 d. for every Skin otherwise used.

XIX. Stat.

* XIX. Stat. 18 El. 9. None shall Ship any Leather, Tallow, or raw Hides, (except *Scotch Hides*, according to the *Proviso* of 5 El. 8. now repealed by 1 Jac. 1. 22.) in pain to forfeit the same, and the treble Value: And the Owner of the Ship, knowing the same, to forfeit his Ship, and the Furniture thereof; and the Master thereof, also knowing the same, to forfeit all his Goods, and to suffer one Years Imprisonment without Bail. The Forfeitures are to be divided betwixt the King and the Prosecutor.

XX. If the Owner, Master, or Mariner, within three Months after his knowledge thereof, or at his return into *England*, shall upon Oath discover it *bona fide* to one of the Barons of the Exchequer, either of the Lords Presidents, or an Head-Officer of the Port where he Lands, and afterwards shall be ready to justify it; he shall be thereupon excused.

XXI. He that Transports any Leather, Tallow, or raw Hides, (otherwise than according to the aforesaid *Proviso*) shall pay by the Name of Subsidy 10 s. for every Hide, 3 s. 4 d. for every dozen of Calves-skins, and 6 s. 8 d. for every 100 weight of Tallow.

XXII. The Customers, &c. shall be accountable to the Queen for the said Subsidy, and shall pay the same unto her upon the pain contained in 3 H. 6. 3.

* XXIII. Stat. 1 Jac. 1. 22. None shall gash any Hide in pain of 20 d. nor water them, except in *June*, *July*, and *August*, nor put them to Sale being Putrified, in pain to forfeit for every Hide so watered or put to sale, 3 s. 4 d.

XXIV. None shall kill any Calves under five Weeks old, in pain to forfeit for every Calf so killed, 6 s. 8 d. Rep. 22 & 23 Car. 2. cap. 19.

* XXV. No Butcher shall exercise the Mystery of a Tanner, in pain of 6 s. 8 d. for every day he so continues both professions.

XXVI. None shall be Tanners but such as have served seven Years as Apprentices or Hired Servants in that Trade, or the Widow or Children of a Tanner, having a Tan-fat left them, and having been brought up in that Profession by the space of four years, in pain to forfeit all the Leather they Tan, or the full Value thereof.

XXVII. None that useth the cutting or working of Leather shall be a Tanner, in pain to forfeit all the Leather he Tans, or the Value thereof.

XXVIII. None shall buy any rough Hides, or Calves-skins in the Hair, but only such as do or may lawfully Tan them. (except salt Hides, for the necessary use of Ships) in pain to forfeit them, or the just Value: Neither shall any forestall Hides, but buy them in open Fair or Market, (except such as kill Beasts for their own Provision) in pain to forfeit for every Hide otherwise bought, 6 s. 8 d.

XXIX. None

XXIX. None shall buy any Tanned Leather unwrought, but only such as will and shall convert the same into made Wares.

XXX. This Act shall not restrain Artificers from buying Tanned Leather every *Munday* at *Leaden-hall*, to be converted into made Wares, being first duly Searched, Sealed and Registered, as hereafter is limited; nor Girdlers, or Saddlers from selling their Necks or Shreds of Tanned red Leather.

XXXI. The Tanner that over-limes his Hides, or useth in his Tanning any thing save Ash-bark, Oak-bark, Tapwort, Malt, Meal, Lime, Culver-dung, or Hen-dung, or suffers them to be frozen, or to be parched with Fire or Sun, or Tans such as are rotten by long lying or otherwise, or continues not utter-sole Leather 12 months in the Woozes, and upper Leather 9 months, or doth negligently work his Hides in the Woozes, not renewing and strengthening them as often as need shall require, or doth work them in any other sort than is by this Statute limited, shall forfeit every Hide so Tanned and put to Sale, or the full value thereof.

XXXII. No Tanner shall by mixtures raise any Hide for Sole-Leather which shall not be fit for that use, in pain of forfeiting the same.

XXXIII. None shall put to sale any Tanned Leather red and unwrought, but in open Fair or Market, unless the same hath been Searched and Sealed in some Fair or Market before; neither shall any offer to sell any such Leather before it be Searched and Sealed, in pain to forfeit for every Hide otherwise put to sale, 6s. 8d. and for every dozen of Calve-skins or Sheep-skins, 3s. 4d. besides the Hides and Skins themselves, or the full value thereof.

XXXIV. None shall put to sale any Leather insufficiently Tanned or Dried, in pain to forfeit the whole, or at least so much as shall be so misused.

XXXV. No Tanner shall hasten the Tanning of his Leather by giving it unkind Heats with hot Wooze, or otherwise, in pain of 10*l.* and to stand upon the Pillory three days in the next Market.

XXXVI. None shall buy or ingross Bark, to the intent to sell the same again, in pain to forfeit it, or the value thereof: neither shall any fell Oak-trees apt for Barking, where Bark is worth 2*s.* the Cart-load, (Timber for the necessary repair of Houses, Ships and Mills, excepted) but only betwixt the first of *April* and the last of *June*, in pain to forfeit the Trees otherwise felled, or the double value of the same.

XXXVII. Purveyors of Trees for the Kings use shall fell them only in Barking-time, (except for the present repair of the Kings Houses or Ships) and shall take no more thereof from the Owner than what may serve the Kings present occasion; in pain to forfeit to the Party grieved for every Tree, and for the
Lop,

Lop, Top, or Bark of every Tree taken contrary to this Act, 40*s*. And it shall be lawful for the Owner to retain the Lop, Top, and Bark of every such Tree.

XXXVIII. A Currier shall not Curry Hide or Skin which is not sufficiently Tanned and Dried, and that in his own House, situate in some Corporate or Market-Town, and not elsewhere: neither shall he gash, or other way spoil or impair them, but work them sufficiently in all points, in pain to forfeit for every Skin or Hide so spoiled (otherwise than by gashing or shaving) 6*s*. 8*d*. besides the value of the same Skin or Hide; and for gashing them, to forfeit to the Party grieved twice so much as he impairs them thereby.

XXXIX. No Artificer within *London* or three miles of the same, shall put any Leather to be Curried, save only to some Person Free of the Company of Curriers in *London*, in pain to forfeit the same, or the value thereof.

XL. None within the aforesaid Jurisdiction of *London* shall use or put into made Wares any Curried Leather before the same be Searched and Sealed, in pain to forfeit for every Hide or Skin, 6*s*. 8*d*. and also the value of every such Hide or Skin.

XLI. A Currier shall not use the Art of a Tanner, Cordwainer, Shoe-maker, Butcher, or of any other Artificer which useth the cutting of Leather, in pain to forfeit for every Hide or Skin he Currieth during that time, 6*s*. 8*d*.

XLII. No Currier (sufficient Stuff being tendred unto him) shall refuse sufficiently to Curry Leather within eight days in Summer, and sixteen days in Winter, after he shall or may take it in hand, in pain to forfeit for every Hide or piece of Leather not Curried accordingly, 10*s*.

XLIII. The Wardens of the Company of Curriers (or Officers by them appointed) shall within one day after request made unto them, Search and Seal Leather Curried, for which the Currier shall pay after the rate of 1*d*. for every Dicker of Hides, and as much for every six dozen of Calve-kins. And the Currier shall forfeit for every Hide not Searched and Sealed, as aforesaid, 6*s*. 8*d*.

XLIV. Shoe-makers shall make their Boots, &c. of good and sufficient Stuff, sew them well, and not put them to sale upon Sundays; in pain to forfeit for every such default or offence, 3*s*. 4*d*. and also the full value of all Wares otherwise made or sold.

XLV. The Masters and the Wardens of the Company of Shoe-makers, Curriers, Girdlers and Sadlers, within the Jurisdiction of *London* aforesaid, or the more part of them, shall once every Quarter (or oftner, if need require) make Search and View of all Wares made of Tanned Leather, in pain to forfeit 40*s*. for every years default, to be divided betwixt the King and

and the Prosecutor; and shall also have power to seise all insufficient Wares found upon Search. *Explained and Declared, that Tanned Leather Curried is within this last Section.* Stat. 1 W. & M. cap. 33.

XLVI. The said Master and Wardens shall only Search the Wares of such as are of their own Professions; and Coach-makers shall be under the Survey and Search of the Company of Sadlers.

XLVII. The Mayor and Aldermen of London shall (within the said Jurisdiction, and upon the like pain of 40 s. to be employed as aforesaid) chuse and swear eight expert Men out of some of the Four Companies aforesaid, to be Searchers and Sealers of all Tanned Leather there, whereof one shall be assigned to keep the Seal.

XLVIII. Head-Officers in Corporate and Market Towns, and Lords of Liberties, shall yearly in all other parts of the Kingdom (upon the like pain of 40 s. to be employed as aforesaid) appoint and swear two, three, or more, honest and skilful Men, to be Searchers and Sealers of Leather, who shall have power to Seal sufficient Wares, and likewise to seise and retain such as be insufficient, until they shall be tried by Triers to be hereafter appointed by this Act.

XLIX. There shall be appointed six Triers of insufficient Leather and Leather-wares, which shall be seised within the said Jurisdiction of London: and when any such Leather or Wares are seised within any other Jurisdiction, the chief Officer, or Lord of the Liberty, or his Deputy, shall cause trial thereof to be made, by the Oath of six honest Men, upon some Market day, and within 15 days after such seizure made.

L. The Lord Mayor of London, and the Head-Officer, and Lord or Deputy aforesaid, shall appoint Triers in their several Jurisdictions, in pain of 5 l. to be divided betwixt the King and the Prosecutor: and these Triers shall do their Duties in that Office without delay, in pain to forfeit for every default 5 l.

LI. Four of the Triers in London shall be yearly changed, and other four placed in their rooms, and none shall continue in that Office there above two years: and if any happen to be Trier two years together, he shall not be chosen again within three years after, in pain to forfeit for every month he continues otherwise in that Office, 10 l.

LII. No Searcher or Sealer of any Leather shall refuse with-in convenient time to do his Office, or allow any Wares which are insufficient, in pain of 40 s. and shall not take Bribes, or exact more than due Fees, in pain of 20 l. nor being lawfully elected, shall refuse the Office, in pain of 10 l.

LIII. All

LIII. All red Tanned Leather, which shall be brought within the aforesaid Jurisdiction of *London*, shall be carried to *Leaden-hall* before it be Housed, and there Searched, Sealed and Registred by the Officers aforesaid, for which, if it were Sealed before, (out of the said Jurisdiction) they shall take half Fees only.

LIV. None shall sell any Tanned Leather within the aforesaid Jurisdiction of *London*, before the Officers there have Searched and Sealed it, in pain to forfeit the same, or the value thereof.

LV. None shall withstand the Searchers and Sealers in the due execution of their Office, nor the Seising of insufficient Wares, in pain of $5 l.$

LVI. The aforesaid Searchers and Sealers shall Register all Tanned Leather sold in Fairs and Markets, together with the prices thereof, and the Names and Dwelling-places of the Buyer and Seller (being thereunto required by the said Buyer and Seller) taking as well of the Buyer as the Seller $2 d.$ for every ten Hides, Backs or Buts, Sole-leather, and $2 d.$ for six dozen of Calves-skins, or Sheep-skins, and no more.

LVII. None shall sell any Tanned Leather (red or unwrought) before it be Registred, in pain to forfeit the value thereof.

LVIII. None shall buy any Tanned Leather before it be Searched and Sealed, nor carry it out of the Fair or Market before it be Registred, in pain to forfeit the same, or the value thereof.

LIX. The Currier within the Jurisdiction of *London* aforesaid, which Currieth not his Leather sufficiently, and every other Artificer there (using Tanned and Curried Leather) which putteth into his Wares Leather insufficiently Tanned or Curried, shall forfeit for every such default the said Wares, and the just value thereof.

LX. No such Artificer shall sell any Wares but in open Shop, Fair, or Market, where due Search may be made, in pain to forfeit the Wares otherwise sold, and besides $10 s.$ for every such Offence.

LXI. Here the Sums of Money aforesaid forfeited shall be divided into three parts, whereof the King is to have one, the Prosecutor another, and the City, Corporation, or Lord of the Liberty, the third.

LXII. The value of the Wares forfeited within the Jurisdiction of *London*, after Appraisement, shall also be divided into three parts, whereof one shall be given to the Seisor, another to the Chamber of *London*, and the third to the Poor: and in all other Places, one third part to Charitable uses, another to the Head-Officer or Lord of the Liberty, and the third to the Seisor or Seisors for his or their pains.

LXIII. None

LXIII. None shall buy any forfeited Wares to sell them again, in pain to forfeit for every parcel thereof 3 s. 4 d.

LXIV. This Act shall not prejudice the Authority of the Universities, so that their Officers observe the Provision of this Act under the Penalties in this Act contained.

LXV. The Hides or Skins of Ox, Steer, Bull, Cow, Calf, Deer, Goats and Sheep, being Tanned or Tawed, and salt Hides, are reputed Leather within the Letter of this Statute.

LXVI. Justices of Assise, of Gaol-delivery and of Peace, Stewards of Leets, the Mayor of London, and Head-Officers within their several Precincts, have power to hear and determine these Offences.

LXVII. The Kings Steward of a Leet of Liberty shall have the same Authority, and be subject to the same Penalties that a Lord of a Leet hath and is subject to.

LXVIII. It shall be lawful for all Artificers (save only Shoemakers between September and the twentieth of April) to use Dry, Curried and Frised Leather, being well Tanned according to this Act.

LXIX. This Act shall not extend to Wales.

LXX. If any Customer, or other such Officer, having notice of the Transporting of any Leather, do not use his best endeavour to seize it, or, being Transported, do not disclose it within forty days, he shall forfeit for the first default 100 l. and for the second lose his Place: and every such Officer for making a false Certificate of the arrival of any Leather, shall also forfeit 100 l.

LXXI. This Act shall not extend to Scotch Hides brought to Berwick.

LXXII. Licences to dispense with the Offences prohibited by this Act, shall be void.

LXXIII. Stat. 4 Jac. 1. c. 6. There shall be no penalty for housing, buying or selling Sheep-skins unsealed.

LXXIV. None shall sell Tanned Leather by weight, in pain to forfeit the same, or the value thereof, to be divided between the King, and the Prosecutor.

LXXV. Stat. 13 & 14 Car. 2. cap. 7. None shall carry or Transport into Scotland, or beyond Sea, Skins Tanned or Untanned, of Oxen, Steers, Bulls, Cows or Calves, in other manner than is here directed: nor out of any Island belonging to this Kingdom, except Ireland, to any Place but England, on pain to forfeit double the value of the Skins Transported out of any of the said Islands to any Place but England.

LXXVI. All red Tanned Leather made of the Skins aforesaid, shall be bought in open Leather Markets, on pain to forfeit it or the value, and the Contract for the sale to be void: and shall be Searched and Sealed before it be exposed to sale, and upon sale Entred with the Register by Buyer and Seller,

both present, with their Names and Places of abode, on pain to forfeit it or the value.

LXXVII. Persons found Guilty of Transporting any Leather or Hides aforesaid (except such Calve-skins and Sheep-skins Dressed without the Wooll, as by Law may be Transported) shall be disabled to deal in Leather, and forfeit 500*l.* but Leather made into Boots, Shoes or Slippers, may be Transported.

LXXVIII. The Masters and Wardens of the Cordwainers, Sadlers, Girdlers, and Curriers of *London*, and their Deputies, all Officers belonging to the Customs, all Justices of Peace, Mayors and Chief Officers of Corporations, may search for, and seise Leather or raw Hides purposed to be Transported, other than Calve-skins and Sheep-skins, as aforesaid.

LXXIX. They that shave, cut, and take their upper-leather Hides all over, and the Necks of their Backs and Butts, shall forfeit them or their value, and the Searchers and Sealers of Leather may seise the same. The Market for Leather in *Leaden-hall* in *London*, shall be kept on the *Tuesday*, as now it is.

LXXX. The said Forfeitures shall be recovered by Action of Debt, Bill, Plaint, &c. in the Courts at *Westminster*, or any other Court of Record, nor shall the same be removed thence: and one half shall be to the King, the other to the Informer.

LXXXI. Such Transportation contrary to this Act is declared a Common Nuisance. But this Act shall not extend to prohibit the carrying Hides or Leather for the use of Ships, not exceeding six raw and three Tanned Hides.

LXXXII. All that shall buy red Tanned Leather within *London*, or three miles thereof, shall before the next Market day in the said Place for Leather, give notice thereof to some Currier within the said compass, and within three Weeks after that deliver it to him, except what shall be used for Soals, to be Dressed, as by 1 *Jac.* 1. *cap.* 22. or forfeit 6*s.* 8*d.* for every Back, Butt, Hide, or Calve-skin not delivered.

LXXXIII. The Master and Wardens of the Company of Curriers, or whom they shall appoint, may enter into any Place within the said compass, belonging to any Dealing in cutting Leather, and in the presence of any two of them, search for, and seise all Leather prohibited to be used by the Clause in 1 *Jac.* 1. (*supra* Paragr. XL.) and Wares made thereof. They that oppose, or refuse to permit such Search or Seizure, shall forfeit 20*l.* and all Dealers in cutting Leather that refuse to be present with the said Searchers, when desired, shall forfeit 10*l.* to the uses, and to be recovered, *ut supra*.

LXXXIV. Stat. 20 *Car.* 2. *cap.* 3. It shall be lawful for any Person to Export into *Scotland*, *Ireland*, or any Foreign parts,

parts, all sorts of Leather, Sheeps-skins, or Calves-skins, Tanned, Tawed or Dressed; paying for each hundred weight, containing One hundred and twelve pounds, and so proportionably for greater and lesser quantities, 12 *d.* and no more.

LXXXV. This Act shall continue till the 25th of *March*, 1675. and to the end of the first Session of Parliament then next ensuing, and no longer.

LXXXVI. Stat. I. Jac. 2. cap. 13. An Act made 20 Car. 2. Intituled, *An Act for giving liberty to buy and export Leather and Skins Tanned and Dressed*, shall be in force from the 24th of *June*, 1685. for Three years, and to the end of the first Session of Parliament then next ensuing, and no longer. *Continued* per Stat. 7 & 8 W. 3. from 25 March, 1696. for 7 years, and to the end of the next Session of Parliament then next ensuing. *Continued* per 1 Anna Stat. 2. cap. 13. from thence to the end of the next Session of Parliament.

 Corn and Grain,

* I. Stat. 5 Eliz. 12. None but a married Man and Householder of the age of 30 years (at the least) shall take upon him to be a Badger, Lader, Kidder, Carrier, Buyer or Transporter of Corn or Grain, Butter and Cheese; neither he without Licence in open Sessions of the County where he hath dwelt by the space of Three years before, under the Hands and Seals of (at least) three Justices (1 Qu.) in pain of 5 *l.* which Licence shall remain in force for One Year only from the date thereof: and all Licences otherwise granted shall be void.

 II. The Justices of Peace in Sessions shall (at their discretions) take Recognisances of Badgers, &c. that they shall not forestal or ingross, or put in practice any Act contrary to 5 & 6 E. 6. 41.

III. The Clerk of the Peace shall Write and Enter the Licence and Recognisance: and his Fees shall be, viz. for Writing the Licence, 12 *d.* for Writing the Recognisance, 8 *d.* and for Entering them both into a Register-Book, 4 *d.* which Book he shall bring to every Sessions.

IV. This shall not give liberty to any Badger, &c. to buy Grain out of open Fair or Market (to sell again) unless there be special Words in his Licence to Warrant the same, in pain to Forfeit for every time so offending, 5 *l.*

V. These Forfeitures are to be divided betwixt the Queen and the Prosecutor.

VI. The Queens Moiety shall be Estreated, according to the usual manner, and the Prosecutors Levied by *Fieri facias* or *Capias*: but when the Suit is wholly the Queens, the whole shall be Estreated for her use.

VII. Justices of Peace have power to hear and determine these Offences in Sessions by Inquisition or Verdict, or otherwise, upon the Oath of Two Witnesses (at their Discretions) and to make Process thereupon.

VIII. This Act shall not restrain Purveyors of Cities, and Towns Corporate, neither yet the Inhabitants of the Counties of *Westmorland, Cumberland, Lancaster, Chester, and York.*

 IX. Stat. 13 Eliz. 13. For the Increase of Tillage, and the Maintenance of the Navy and Mariners, the Lords Presidents and the Councils in the *North, and Wales*, Justices of Assize in their Circuits, and Justices of Peace in their Sessions, have power to Licence or Prohibit the Transportation of Grain at their Discretions: Provided their Order be first approved by the Queen or her Council; which also may be countermanded by the Queens Proclamation, if there be cause for it.

X. Stat. 3 Car. 1. 4. Corn may be Transported to the Kings Allies, when Wheat is sold for 32 s. Rye for 20 s. Beans for 16 s. and Barley or Malt for 16 s. the Quarter, or under.

See Title Trade, Num. I. and XIII.

Cornwall.

I. Stat. 2. 13 Car. 2. cap. 4. Leases made or to be made within Three years by the King, under the Great Seal or Seal of the Exchequer, or by Copy of Court Roll, of Offices, Parks, Lands, or Hereditaments (other than Honours, Lordships or Manors) parcel of the Possessions of the Dutchy of *Cornwall*, shall be good in Law.

II. Such Leases, if in Possession, shall be but for Three Lives, or Thirty one years, or for some Term of years determinable upon one, two, or three Lives: if in reversion, they, together with the Estates in Possession, shall not exceed Three Lives, or Thirty one years, nor be dispunishable of Waste: and the ancient Rent shall be reserved, or such Rent as hath been paid the greater part of Twenty years before the making of such Leases: and where no Rent hath been reserved, there shall be reserved a reasonable Rent not under the fourth part of the clear yearly value.

III. All Covenants, Conditions and Agreements in every such Lease, Grant or Copy, shall be good in Law.

IV. Stat. 22 Car. 2. cap. 7. Another Act to the same effect in all points: only that upon Leases to be made by virtue of this Act, where no Rent hath been reserved, there shall be reserved a reasonable Rent, not under the 20th part of the clear yearly value.

V. And

V. And whereas of late increased Rents have been reserved upon many Estates of the said Dutchy, whereof the Tenants have complained, Be it Enacted, That in case any of the Copyhold Tenants of the said Dutchy, shall within Three years agree with the Lord Treasurer, or Commissioners of the Treasury, or the Chancellor or Under-Treasurer of the Exchequer, or such as they shall appoint, for taking off such increased Rents according to Directions given in Writing under their hands, such increased Rents shall cease, upon such Agreement made, and Money paid to the Receiver-General of the Dutchy, and only the old, or such other Rents as shall be directed by such Agreement, be charged.

VI. Stat. 25 Car. 2. cap. 3. *Another Act to the same purpose in all points, except what is contained in the fifth Section, concerning which nothing is here Enacted.*

VII. Stat. 1 Jac. 2. cap. 9. All Grants made in the late Kings Reign, or to be made by Copy of Court-Roll, according to the Custom of the respective Manors of the Dutchy of Cornwall, or thereunto annexed, and all Leases and Grants made by the late King, or to be made within Seven years, by Letters Patents under the Great Seal, or Exchequer-Seal, or by Copy of Court-Roll, of any Offices, Messuages, Parks, Lands, Tenements or Hereditaments; (other than Honours, Lordships, or Manors) Parcel of the Possessions of the said Dutchy, or annexed to the same, shall be good in Law, against the King, and all others that shall at any time hereafter enjoy the said Dutchy.

VIII. Provided that every such Lease or Grant be not made for more than one, two, or three Lives, or Thirty one years, or under, or for some Term of years determinable upon one, two, or three Lives. And if such Leases, &c. be made in Reversion, the same, together with the Estates in Possession, not to exceed three Lives, or Thirty one Years, and not to be dispunishable of Wasse, and the ancient Rent to be reserved, or the Rent usually paid for the greater part of Twenty years next before 1660. and where no Rent hath been paid, there a Rent to be reserved, not being under the Twentieth part of the clear yearly value.

IX. Covenants, Conditions, Reservations and other Agreements in such Leases, &c. shall be good in Law, as if the King at the time of the making such Covenants, &c. were seised in Fee-simple; saving to all Persons, other than the King and the Dukes of Cornwall for the time being, all such Rights, Titles, &c. as they had, or ought to have had before the making.

X. In case any the Tenants of the said Dutchy shall within Seven years next coming, compound with the Lord High-Treasurer, or the Commissioners of the Treasury, or such as he or they

Coroner, Corporation.

they shall Authorize for the taking of any encreased Rent reserved, as aforesaid; then upon such Composition-Money paid to the Receiver-General of the said Dutchy, and Enrolled before the Auditor of the Premises, such increased Rents shall from thenceforth cease, and the old Rent only, or such other Rent as shall be directed by such Composition, shall be charged upon the Lands, &c. so compounded for.



Coroner.

I. West. 1. 10. 3 E. 1. Sufficient Men of the most wise and discreet Knights shall be chosen in all Counties for Coroners.

II. The Sheriffs shall have Counterparts with the Coroners of all things which concern their Office.

III. They shall take nothing of any Man to do their Office, in pain of great Forfeiture to the King.

IV. Stat. 4 E. 1. *Officium Coronatoris. See the Statute at large.*

V. Stat. *De Exonia, de inquisitione super Coronatores*, 14 E. 1. See the Statute at large, together with the Articles thereunto annexed.

VI. Stat. 14 E. 3. 8. A Coroner shall have sufficient in the County whereof to answer all people.

VII. Stat. 28 E. 3. 6. Coroners shall be chosen in the full Counties, of the most convenient and lawful Men; saving unto the King and other Lords (that may make Coroners) their Franchises.

VIII. Stat. 1 H. 8. 7. Where one is slain by Misadventure, the Coroner shall execute his Office without Fee, in pain of 40 s.

IX. Justices of Assise and Peace have power to inquire of, and punish the Defaults and Extortions of Coroners.

Corporation.

I. Stat. 19 H. 7. 7. Corporations shall not make or execute any Ordinances in diminution of the Prerogative of the King, or of other, or against common profit, except approved by the Chancellor, Treasurer, and the Chief Justices, or Three of them, or by the Justices of Assise, in pain of 40 l.

II. They shall make no Ordinance to restrain Suits in the Kings Court, upon the like pain of 40 l.

III. Stat. 22 H. 8. 4. They shall take but 2 s. 6 d. for the first Entry of an Apprentice, and 3 s. 4 d. for his Entry of Freedom, in pain of 40 l. to be divided betwixt the King and the Prosecutor.

IV. Stat. 28 H. 8. 5. No Corporation shall by Oath or Bond restrain any Apprentice or Journey-man from keeping Shop, or take

take Money of them for their Freedom, or the Occupying in their Profession, otherwise than is limited by 22 H. 8. 4. in pain of 40 l. to be divided, as aforesaid.

V. Stat. 33 H. 8. 27. In Acts to be done by Corporations, the consent of the greater part shall bind; and the Oath taken by them to the contrary shall not be observed.

VI. No Person shall hereafter give any such Oath, in pain of 5 l. to be divided betwixt the King and the Prosecutor.

VII. Stat. 2. 13 Car. 2. cap. 1. None shall bear any Office of Magistracy or other Employment concerning the Government of any Cities, Corporations, Boroughs, Cinque-Ports, and their Members, and other Port-Towns, that shall not within One year before their Election have taken the Sacrament according to the Rites of the Church of England, and every Person so placed or chosen, when the Oath for due execution of their Places shall be Administred, shall take the Oaths of Allegiance and Supremacy, and this Oath, viz.

I A. B. do declare and believe, That it is not lawful upon any pretence whatsoever, to take Arms against the King, and that I do abhor that Traiterous Position of taking Arms by his Authority against his Person, or against those that are Commissionated by him;

So help me God,

And shall subscribe this Declaration;

I A. B. do declare that I hold, That there lies no Obligation upon me or any other Person from the Oath commonly called, The Solemn League and Covenant; and that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of this Kingdom. In default whereof every such Placing and Choice shall be void.

VIII. The said Oaths and Declaration shall be Administred by those who ought to tender the Oath for due executing the said Places, and in default of such, by Two Justices of the Peace of the said Cities, &c. if such there be; else by Two Justices of Peace of the respective Counties: who shall cause Memorandums to be made of all Oaths taken before them, and Subscriptions made, and deliver them once a year to the Town-Clerks or other Register or Clerk of the said Cities, &c. to be Entred in the Registers.

IX. Nothing in this Act shall extend to the prejudice of such as have Reversions of Offices belonging to the City of London, by virtue of any Order, Grant, Designation, &c. of the Lord Mayor and Court of Aldermen, made or granted before the late Wars, in respect of such Grant or Designation only.

Corpus cum causa, Certiorari, Habeas Corpus, & Superfedeas.

I. Stat. 2 H. 5. Stat. 1. 2. If a *Corpus cum causa* or *Certiorari* be granted out of the Chancery, to remove one that is in Prison upon an Execution at another Mans Suit, he shall be remanded.

II. Stat. 43 Eliz. 1. No Writ of *Habeas Corpus*, or other Writ Sued forth to remove an Action, shall be allowed, unless it be delivered unto the Judge, or Officer of the Court, before the Jury appear, and one of them be sworn.

III. Stat. 21 Jac. 1. 18. Process of the Peace and good Behaviour shall not issue out of the Chancery or Kings Bench, but upon motion in open Court, and good cause shewed upon Oath, which shall also be Endorsed upon the Writ. Howbeit if that Cause shall be afterwards disproved, the Judge or Judges of the said Courts (respectively) shall commit the Offender to Prison, until he pay the Party grieved all his Costs and Damages.

IV. All Writs of *Superfedeas* shall be void, unless such Process be likewise granted upon motion, as aforesaid, and upon such sufficient Sureties as shall appear to the Court upon Oath to be Subsidy-Men, Assessed at 5 *l.* Land, or 10 *l.* Goods, and also, unless the Prosecution against the Party for the Peace or good Behaviour be *bona fide*: and here, false Sureties procured for the gaining of such Writs shall be punished by the Judges.

V. *Certiorari* shall not be allowed, unless the Indicted will become bound with sufficient Sureties (such as the Justices of Peace in Sessions shall like of) to pay to the Prosecutor within One month after Conviction, such Costs and Damages as the said Justices shall Assess.

VI. Stat. 21 Jac. 1. 23. No Writ to remove a Suit commented in an inferior Court shall be obeyed, unless delivered to the Stewards, &c. of the same Court before Issue or Demurrer joyned, so as such Issue or Demurrer be not joyned within Six weeks after the Arrest or Appearance of the Defendant.

VII. An Action or Suit once remanded, shall never afterwards be again removed.

VIII. When the thing in demand exceedeth not 5 *l.* the Suit shall not be removed by any Writ, save only by Writs of Error or Attaint.

IX. This Act shall only extend to Courts of Record, where an Utter Barrister of Three years standing is Judge, Recorder, Steward, &c. or Assistant to such Officer there, and not of Counsel in any Action there depending.

X. Neither

X. Neither shall this Act extend to any Action which cannot be Tried in such inferior Courts.

Cousenage, Avel and Belavel, &c.

I. *West.* 2. 20. 13 E. 3. In Writs of *Cousenage, Avel and Belavel*, the Tenants answer (that the Plaintiff is not next Heir of the same Ancestor by whose death he demandeth his Land) shall be admitted and enquired, and according to the same Inquisition the Justices shall proceed to Judgment.

 Cottages.

* I Stat. 31 *El.* 7. None shall erect or convert a Building to be a Cottage for Habitation, unless he lay four Acres of Free-Hold Land of Inheritance so near unto it, that they may be conveniently occupied therewith, in pain to Forfeit 10 l. to the Queen for every such Erection or Conversion, and 40 s. a Month for the continuance.

II. No Owner or Occupier of any Cottage shall place or willingly suffer any more Families than one to cohabit therein, in pain to Forfeit to the Lord of the Leet 10 s. for every Month he so continues them together.

 III. Justices of Assise, Justices of Peace in their Sessions and Lords of Leets, have power to hear and determine these Offences.

IV. This Statute shall not extend to Cottages in Cities, Boroughs or Market-Towns, or provided for Labourers in Mines or Quarries within one Mile from such Mines or Quarries, or for Sea-faring Men within one Mile of the Sea, or a Navigable River, or for a Keeper, Warrener, Shepherd or Herdsman, or for an impotent Person; nor to any Cottages which upon an Order by Justice of Assise in open Assise, or Justices of Peace in Session, shall be decreed to continue for Habitation, for so long time only as by such Decrees they shall be tolerated.

 Counterfeit Letters.

I. Stat. 33 *H.8.* 1. If any shall falsly obtain any Money or other thing by colour of any false Token or Counterfeit Letters, they being thereof convict by Witnesses or Confession before the Lord Chancellor, the Lords of the Council in the Star-Chamber, Justices of Assise, Justices of the Peace, or by Action in any Court of Record, shall suffer such punishment as shall be adjudged by the Person or Persons before whom they shall be so convict, the pains of Death only excepted.

II. Justices of Assise and Justices of Peace (1 *Quor.*) shall have power to convent (by Process or otherwise) to the Assises or Sessions respectively, any Person suspected to offend in that kind; and to Commit or Bail him until the Assises or Sessions, or otherwise to order him at their discretions.

III. Justices in Corporations have like Authority for the Punishment of such Offenders, as Justices of Assise or Peace have in their several Precincts respectively.

IV. The remedy of the Party grieved by way of Action, is saved.

County and Turn.

I. *Magna Charta*, 35. 9 *H. 3.* County-Courts shall be held from Month to Month, or longer, if formerly so used: and the Sheriff (or his Bailiff) shall keep his turn in the Hundred at the usual Place, and that only twice a Year, viz. after *Easter* and *Michaelmas*. Leets also shall be at *Michaelmas* without occasion.

II. *Marlb.* 10. 25 *H. 3.* Archbishops, Bishops, Abbots, Priors, Earls, Barons, or Religious Men or Women, are not to appear at the Sheriff's Turns, except for some other cause; and such as have Hundreds of their own shall not be bound to appear at such Terms, but only in the Bailiwicks where they dwell.

III. *West.* 1. 33. 3 *E. 1.* No Sheriff shall suffer Barretors or Maintainers of Quarrels, or Stewards of great Lords, or other (unless Attorney for his Lord) to make Suit, or to give Judgments in the Counties, or to pronounce them, if he be not required so to do by all the Suitors, and Attornies of the Suitors there present; in pain that both the Sheriff and they shall be grievously punished by the King.

IV. *Stat.* 31 *E. 3.* *Stat.* 1. 15. Every Sheriff shall hold his Turn yearly one time within the Month after *Easter*, and another time within the Month after *Michaelmas*, in pain to lose his Turn for the time.

V. *Stat.* 19 *H. 7.* 24. The Shire-Court for *Suffex* shall be holden one time at *Chichester*, and the next time at *Lewes*, *alternis vicibus*; in pain that the Court otherwise kept, and the things therein transacted, shall be void.

VI. *Stat.* 2. 3 *E. 6.* 25. County-Courts shall be adjourned from Month to Month, and no longer.

VII. The Sheriff of *Northumberland* shall keep his County-Court at *Alnwick*, and not elsewhere.

Coopers.

* I. Stat. 23 H. 8. 4. A Beer or Ale-Brewer shall neither by himself or others (for his use) make any Vessel whereby they shall put their Beer or Ale to Sale, but such only as shall be made and marked as is hereafter expressed, in pain to Forfeit for every Vessel so made, 3 s. 4 d.

II. Coopers shall make their Beer and Ale Vessels of good and seasonable Wood, and put their proper Mark thereupon.

III. A Beer-Barrel shall contain at least 36 Gallons, a Kilderkin 18, and a Firkin 9; and an Ale-Barrel 32 Gallons, a Kilderkin 16, and a Firkin 8; all of the Kings Standard Gallon. And if the Cooper make any bigger or lesser, he shall set the true Content upon them. Also the Cooper shall not inhanche the Prices of his Vessels, in pain to Forfeit for every such Vessel defective or inhanched in Price 3 s. 4 d. viz. For a Beer-Barrel 9 d. a Beer-Kilderkin 5 d. and a Beer Firkin 3 d. also for an Ale-Barrel 16 d. and an Ale-Kilderkin 9 d. and an Ale-Firkin 5 d.

Note, That this Clause, for so much as concerns the Prices of Vessels, is Repealed by 8 Eliz. 9. But Quære whether it doth not yet stand in Force for defective Vessels. Vide 8. Eliz. 9. infra.

IV. No Beer or Ale-Brewer shall put any Beer or Ale for Sale in any Vessel which is not marked by the Cooper, and of the Contents above limited.

V. Beer and Ale-Brewers shall Sell their Beer and Ale at such Rates as shall be thought fit (in the Country) by the Justices of Peace, and (in Corporations) by the Head-Officers; in pain to Forfeit for every Barrel 6 s. Kilderkin 3 s. 4 d. Firkin 2 s. and for every great Vessel 10 s. and every lesser 12 d.

VI. The Forfeitures abovesaid shall be divided betwixt the King and the Prosecutor.

VII. Every Soap-Maker shall cause his Vessels to be made as followeth, viz. Every empty Barrel to contain 32 Gallons, and to weigh 26 pounds; the Content of the half Barrel to be 16 Gallons, and the weight 13 pound; and the Content of the Firkin 8 Gallons, and the weight 6 pound and an half; in pain to Forfeit for every Vessel otherwise ordered 3 s. 4 d.

VIII. The Wardens of the Mystery of Coopers within the City of London (taking with them an Officer of the Mayor) shall have power to search and gage all Vessels made for Ale, Beer and Soap, to be put to Sale within London and the Suburbs, and within two Miles compass without the Suburbs (as well within the Liberties as without) and to examine their Contents and Weight, and (being found right) to mark them with

St. An.

St. Anthony's Cross : Which Searchers shall have for their Fee a Farthing for every Vessel, to be paid by the Owner thereof, and may retain the Vessel until the Fee be paid : And if any be found defective, they have power to amend or burn them ; and the Owner of such defective Vessels shall Forfeit 12 *d.* to be disposed, as aforesaid.

IX. In other Places where there are no Wardens, the Head-Officers shall do it, and shall have the like power and advantage as those of *London*.

X. This shall not prohibit a Beer-Brewer to keep in his House a Servant for to mend his Vessels.

XI. If any shall diminish a Vessel by taking out the Head or a Staff thereof, the Vessel shall be burnt, and the Offender shall Forfeit 3 *s.* 4 *d.* (to be disposed, as aforesaid) and shall be further punished at the discretion of the Head-Officers.

XII. An Ale-Brewer may also retain a Cooper in his Service to mend his Vessels.

XIII. Every Cooper shall make his Ale-Vessel according to the Assise expressed in the Treatise, called *Compositio Mensurarum*, viz. every eight Gallons thereof to contain a Bushel, according to the Assise limited by that Ordinance (which was made 51 *H.* 3.) in pain to Forfeit for every Vessel otherwise made, 3 *s.* 4 *d.* to be disposed, as aforesaid.

XIV. Every Cooper shall mark his Vessel with his own Mark, in pain of 3 *s.* 4 *d.* to be Levied and Recovered as aforesaid.

XV. The Searchers shall not put out the Ale to measure the Vessel, whereby it may be made worse.

XVI. This shall not prohibit to carry Ale to the Houses of his Majesty and Honourable Persons in great Vessels, as Buts, Pipes, &c. and Ale-Brewers may convey Ale to any Mans House in Barrels, Kilderkins, and Firkins, being the due Content.

* **XVII.** Stat. 8 *El.* 9. So much of the Statute of 23 *H.* 8. 4. as concerns the Prices of Vessels, is Repealed.

XVIII. Coopers shall sell their Vessels at such Rates as shall be yearly Assessed (in Corporations) by the Head-Officers, and (in the Country) by the Justices of Peace (or the more part of them) in the Sessions after *Easter*.

XIX. If (after Proclamations of the Rates so Assessed) any Cooper shall sell otherwise, he shall incur such Penalties as by the said Statute of 23 *H.* 8. 4. is ordained, viz. for every Barrel, Kilderkin and Firkin, 3 *s.* 4 *d.* to be imposed and disposed as in the same Statute is express, for selling such Vessel above the due price.

Courts.

Courts.

I. In the time of Hen. 8. there were (amongst others) three new Courts erected, viz. those of the Augmentations, First-Fruits and Tenths, and General Surveyors: But these were afterwards annexed to the Exchequer by divers Acts of Parliament, and Letters Patents of Hen. 8. and Queen Mary. Nevertheless in some of these Acts there remains yet somewhat in force, as hereafter followeth.

II. Stat. 33 H. 8. 39. All Obligations and Specialties concerning the King, shall be made to him and his Heirs, Kings, in his own Name, by these words, *Domino Regi*, and to no other Person; and then for payment, *Solvendum Domino Regi, habendum vel Executuribus suis*, with other words used in common Obligations: and such Obligations shall be of the nature of Statutes-staple. And if the King die, leaving such Obligations, they shall remain to his Heirs or Executors, at the Kings pleasure.

III. If any take Obligation that concerns the King in another manner, they shall suffer Imprisonment as shall be ordered by the Kings Council.

IV. All Suits for the Kings Debts in any Court mentioned in this Act, upon any Obligation or Specialty delivered before this Act, or to be delivered before the second day of May next, shall be prosecuted in the Kings Name, to what Person soever such Obligation or Specialty were made; and they shall be of the nature of Statutes-staple, as before.

V. The King in all Suits for Debts shall recover his Costs and Damages.

VI. Suits for the Kings Debts shall be in the proper Courts where they shall be due, whether it be the Exchequer, Dutchy, Augmentations, Surveyors, Wards and Liveries, First-Fruits and Tenths, or any of them; out of which such Processes shall issue for the speedy recovery of them as the Court shall think fit.

VII. The said Courts shall have power to hear and determine all Actions, Defaults, Offences, and other things which shall arise upon any matter committed to the Governance of the same Courts, wherein the King shall be only Party; and also all Estates for term of Years betwixt Party and Party concerning the Premises: All Treasons, Felonies, and Estates of Free-hold and Inheritance, other than Joyntures for term of Life only, excepted.

VIII. If any Person shall make Title to any Lands sold or exchanged to any Fee-simple or Fee-tail by the Kings Letters Patents, upon which a Rent is reserved to the King, his Heirs and Successors in the Court of Augmentations, or shall demand any Rents, Annuities, Officers Fees, or
other

other Profits out of Lands in Fee-simple, or in Fee-tail, comprised in any Letters Patents; or if the King shall make like Title or Claim to any Lands of Inheritance, or Profits out of Lands, assigned to the said Court in any Letters Patents; that the said Court, or more part of them, shall hear and determine such Titles and Claims, and (without other Warrant) make recompence to the Party grieved.

IX. If any Decree of the Court of Augmentations for any of the Premises extend only to the loss of the Patentee, for the Life of the Demandant or Plaintiff, or for term of years; then shall the Chancellor of that Court (without any other Warrant) make recompence in Money, or out of Lands limited to the Survey of the same Court.

X. The aforesaid Courts shall have power to set Fines and Amerciaments, and upon Trial and other Proceedings there, to examine by such proofs, and in such manner as they shall think fit; and the Proceedings and Decrees of the said Court shall be effectual in Law.

XI. The chief Officers of those Courts may (without any other Warrant) discharge all Bonds and Recognisances there hanging, the Debts being satisfied, and the conditions performed; and may also make void all Recognisances for appearance, or other contempt.

XII. If any Person to whom the King hath granted (with reservation of Rent) any Lands of Inheritance or for Life, within the Survey of any of the said Courts, do not pay yearly unto the Treasurer or Receiver General of the said several Courts, at the day limited, or within 3 Months after, all Sums of Money so reserved, or make sufficient Tender thereof unto the said Treasurer or Receiver, he shall Forfeit so much as the fourth part of the said yearly Rent shall amount unto: And if he pay not the Rent and Money Forfeited, as aforesaid, within 6 Months, he shall Forfeit so much as half the Rent amounts unto; and for every half year after, shall Forfeit so much as the whole years Rent doth amount unto.

XIII. The Treasurer and Receiver-General may Distrain for the said Rents and Forfeitures, and the Head-Officers of the said Courts may issue out Process for the recovery of the same, at their discretions.

XIV. A Treasurer, or Receiver-General, or Particular, shall Sign with his own Hand a lawful Acquittance ready made to be Signed by him without any Fee, in pain of 40s. to be divided betwixt the King and the Prosecutor: and if the Treasurer or Receiver, or their Clerks, make and Sign one, they shall take but 4d. for it, in pain to Forfeit 20s. for every Acquittance for which they take more, to be divided, as aforesaid: And every

every Acquittance shall be a sufficient Discharge according to the tenour thereof.

XV. If any Receiver or his Clerk pay a Pension, or other Annuity or Rent, and have a sufficient Acquittance Signed, Sealed, and Delivered unto him by the Party that is to receive such Payment, he shall take nothing for such Acquittance, in pain to forfeit 20 s. and if the Receiver or Clerk provide such Acquittance, he shall not take above 4 d. for the same, in pain also to forfeit 20 s. Neither shall the Receiver or his Deputy take above 4 d. in the Pound for Money which he shall so pay, in pain to forfeit 6 s. 8 d. for every Peny he takes above. The said Forfeitures are to be divided betwixt the King and the Prosecutor.

XVI. The Auditor that takes above 3 s. 4 d. for Enrolling any Patent, Decree or Grant, shall forfeit 6 s. 8 d. for every Peny so taken, to be divided, as aforesaid; and he shall Enroll them, (being tendred unto him) or as much thereof as concerns his Office.

XVII. Auditors shall cause Proclamation to be made in four Market-Towns in 20 days (at least) before their coming into the County to keep their *Audit*, in pain of 5 l.

XVIII. Auditors shall send out their Precepts for the *Audit* betwixt *Michaelmas* and *Christmas*.

XIX. An Accountant that (after notice) doth not appear at the *Audit*, or appearing refuseth to Account, or Accounting defers to pay his charge to the Receiver above three weeks after, or conceals or withdraws any Rent or other Profits, shall forfeit his Office and Fee, and for concealing or withdrawing, shall forfeit three times so much as is concealed or withdrawn, proof of the said Defaults being made to the Head-Officer of any the said Courts; and the said Courts shall thereupon award Process in the nature of Attachments for remedy thereof.

XX. In all Actions for Debts accruing to the King upon Attainder, Outlawry, Forfeiture, Gifts, or other collateral way, it shall be sufficient to shew generally, that the Party unto whom such Debt did belong, such year and day did give it to the King, or was Attainted, Outlawed, or other Act committed whereby it came to the King, without alledging the particular Circumstances. And in such case the King shall be preferred, both in Suit and Execution, before any other Person whatsoever.

XXI. Lands of Inheritance, which were the Kings Debtors, are chargeable with the Kings Debts, unto whomsoever (after the Debtors death) they shall descend, remain or come.

XXII. The Kings Debts are payable by the Heir, though he be not named, in the Recognisance, Bond or other Specialty,

cialty, and notwithstanding the Land which comes unto him be Intailed.

XXIII. The Executor and Administrator are also chargeable, if they have Assets.

XXIV. This Act shall not prejudice any who claim the Lands chargeable by any just and former Title without fraud.

XXV. Upon sufficient cause shewed why the Lands should not be charged, the Court shall discharge them of the Kings Debt.

XXVI. If the Lands chargeable be in several mens Tenures, they shall be intirely charged, and not severally.

XXVII. This Act shall not diminish any of the Liberties or Privileges of the Dutchy or County Palatine of *Lancaster*.

XXVIII. All Processes and Executions for Debts growing in the Exchequer, shall be made by the Officers of that Court, but in such kind as is limited by this Act.

XXIX. Stat. 1 M. Parl. 2. 10. The Queen may by her Letters Patents alter, dissolve, or reduce into one or more, the Courts of Augmentations, First-Fruits and Tenths, Wards, Surveyors, and the Dutchy; or may annex any of them together, or unto any other Court of Record; or erect of the same any other new Court or Courts.

XXX. Provided, that nothing in the said Letters Patents to be contained; shall charge the Subject otherwise than as he ought to have been charged before the second day of this Parliament; and that the Officers of the said Courts shall not hold Plea, but only where the Queen is Party against any of her Subjects.

XXXI. Provided also, that if the Queen shall annex any of the said Courts to the Exchequer, all things within the Survey of the said Court or Courts so annexed, shall be ordered the Exchequer-way: Saving to all Person their Offices, Rents, Annuities, and Fees, to be paid out of any the Queens Courts, where there shall be sufficient Revenue to answer the same.

XXXII. Stat. 16 & 17 Car. 1. cap. 10. The Court of Star-Chamber, the Courts holden before the Presidents and Councils in the Marches of *Wales*, and the Northern Parts, the Court of the Dutchy of *Lancaster*, holden before the Chancellor and Council of that Court, the Court of Exchequer of the County Palatine of *Chester*, holden before the Chamberlain and Council of that Court, and all other Courts of like Jurisdiction, and also all Warrants and Directions of the Council-Board for Commitments, Restraints or Imprisonments, awarded by the King or his Council, are absolutely dissolved, annulled and made void. See the Statute at large.

XXXIII. Stat. 16 & 17 Car. 1. 15. An Act made against divers Inroachments and Oppressions in the Stannary Courts. See the Statute at large.

XXXIV. Stat.

Cross-Bows and Hand-Guns.

III

XXXIV. Stat. 12 Car. 2. cap. 24. The Court of Wards and Liveries taken away.

Cross-Bows and Hand-Guns.

I. Stat. 33 H. 8. 6. None shall Shoot in, or keep in his House, Cross-Bow, Hand-Gun, Hagbut or Demihake, unless his Lands be of the value of 100 l. *per annum*, in pain to forfeit 10 l. for every such Offence.

II. None shall shoot in or have any Hand-Gun under the length of one Yard, nor Hagbut or Demihake under the length of three quarters of a Yard, in pain to forfeit 10 l. And it shall be lawful for any Man, having Lands of 100 l. *per annum*, to use any such Gun or any Cross-Bow used or kept contrary to the Form of this Statute: but then he ought to break them within 20 days after, in pain of 40 s.

III. None shall Travel with a Cross-Bow bent, or Gun charged, except in time of War, or Shoot within a quarter of a mile of a City, Borough, or Market-Town, except for the defence of himself or his House, or at a dead Mark, in pain of 10 l.

IV. None shall command his Servant to Shoot in any Gun or Cross-Bow, except at a dead Mark, or in time of War, in pain of 10 l.

V. The Penalties abovesaid shall be divided betwixt the King and the Prosecutor.

VI. Howbeit the Followers of Lords, (Spiritual or Temporal) Knights, Esquires, Gentlemen, and the Inhabitants of Cities, Boroughs, or Market-Towns, may keep in their Houses, and use to Shoot (but at a dead Mark only) with Guns not under the lengths abovesaid; so may the Owner of a Ship for the defence of his Ship, and also he that dwells two Furlongs distant from a Town, or within five miles from the Sea-Coast: And this last may Shot at any wild Beast or Fowl, save only Deer, Heron, Shovelard, Pheasant, Partridge, wild Swan, or wild Elke.

VII. Those which have power from the King to take away Guns and Cross-Bows in Forests, Parks and Chases, may retain the same, notwithstanding this Act; so likewise may Smiths and Merchants, that make or sell them, the several lengths abovesaid being duly observed.

VIII. It shall be lawful for any Person to convey the Party offending against this Act, before the next Justice of Peace; who upon due examination and proof shall have power to commit him to Prison, there to remain till he have satisfied the Penalty, which in this case shall be divided betwixt the King and the Party that so takes the Offender.

IX. Every Placart granted by the King, which expresseth
not

Crosses, Crown.

not at what Beasts or Fowl the Grantee shall Shoot, and where the Grantee entreteth not into a Recognisance of 20*l.* in the Chancery, to Shoot at no other, shall be adjudged void.

X. Justices of Peace in Sessions, and Stewards of Leets, have power to hear and determine these Offences.

XI. When the Conviction is in Sessions, the whole Forfeiture is to be Levied to the Kings use; when in a Leet, the one half is the Kings, and the other half ought to be divided betwixt the Lord and the Prosecutor.

XII. Here, if a Jury shall willingly conceal any thing, the Justices or Steward have power to impannel another Jury, by whom if the first Jury be found guilty of concealment, they shall forfeit 20*s.* apiece, viz. to the King, if it be in Sessions, but if in a Leet, then the one half to the Lord, and the other half to the Prosecutor.

XIII. Forfeitures arising by this Act shall be Sued for, viz. by the King within one year, and by a common Person within six Months, otherwise they shall be lost.

XIV. A Servant upon command may use his Masters Cross-Bow or Gun, (not prohibited by this Act) so as he Shoot at no Fowl, Deer or other Game; and may also, by a Licence in Writing, carry it to any Place to be amended.

XV. Stat. 2 & 3 E. 6. cap. 14. Intituled, *An Act against Shooting of Hail-Shot*, Repealed per Stat. 6 & 7 W. 3. cap. 13.

Crosses.

I. West. 2. 33. 13 E. 1. Lands where Crosses be set, with purpose that the Tenants thereof should defend themselves against the chief Lord or Lords by the Privileges of Templars and Hospitallers, shall be forfeited as Lands alienated in Mortmain.

Crown.

I. Stat. 14 E. 3. The Realm and People of *England* shall not be Subject or obedient to the King or Kingdom of *France*.

II. Stat. 7 H. 4. 2. The Crowns of *England* and *France* were Intailed to the King and his Four Sons by Name.

III. Stat. 35 H. 8. 1. The Crown of *England* is Intailed to the Kings Daughter, the Lady *Mary*, the Remainder to the Lady *Elizabeth*, the Remainder to such as the King by his Letters Patents or Last Will in Writing should limit.

* IV. Stat. 1 Eliz. 1. No Foreign Potentate or Person shall exercise any Power within any of the Queens Dominions, and all Ecclesiastical Jurisdiction is annexed to the Crown; so that the Queen and her Successors by Letters Patents may authorize any Subject born to exercise the same.

V. For the better observance of this Act, every Ecclesiastical Person, and every Officer, both Ecclesiastical and Temporal, and all the Queens Servants, are enjoined to take the Oath following :

VI. *I A. B. do utterly testifie and declare in my Conscience, That the Queens Higbness is the only Supreme Governor of this Realm, and of all other her Higbness Dominions and Countries, as well in all Spiritual or Ecclesiastical Tbinges or Causes, as Temporal; and that no Foreign Prince, Person, Prelate, State or Potentate, hath or ought to have any Jurisdiction, Power, Superiority, Prebeminence, or Authority Ecclesiastical or Spiritual within this Realm: and therefore I do utterly renounce and forsake all Foreign Jurisdicions, Powers, Superiorities and Authorities; and do promise, that from henceforth I shall bear Faith and true Allegiance to the Queens Higbness, her Heirs and lawful Successors; and to my power shall assist and defend all Jurisdicions, Privileges, Prebeminences and Authorities, granted or belonging to the Queens Higbness, her Heirs and Successors, or united and annexed to the Imperial Crown of this Realm. So help me God, and by the Contents of this Book.*

VII. He that refuseth this Oath shall Forfeit his Spiritual or Temporal Promotion or Office during his life. And every Person, before he be admitted to any such Promotion or Office, shall take the said Oath before such Persons as shall have Authority to minister the same: and in case he refuse it, he shall be adjudged incapable of such Promotion or Office.

VIII. Every Person suing Livery or *Ouster le main*, doing Homage to the Queen, received into the Queens Service, taking Orders or Degrees in the University, shall take the said Oath; the first three before the Lord Chancellor, or Keeper of the Great Seal, the fourth before the Ordinary or Commissary, and the last before the Chancellor or Vice-Chancellor, or their Deputies.

IX. Provided, if any having a Temporal Office of Inheritance shall at first refuse to take the said Oath, and yet doth afterwards take it, he shall be restored to his Office.

X. None shall affirm or maintain the Power or Jurisdiction of any Foreign Prelate, or Potentate within the Queens Dominions, in pain to Forfeit all his Goods and Chattels; and if he be not worth 20*l.* at the time of his Conviction, he shall Forfeit all he hath, and besides, suffer One whole years Imprisonment without Bail: and here, for the second Offence, he shall incur a *Premunire*; and for the third shall be adjudged guilty of High-Treason. But this Offence must be prosecuted within One year after it is committed; and if the Offence be by Preaching, Teaching, or Words only, the Prosecution by Indictment shall be within Six months; otherwise the Offender shall be set at liberty.

XI. If he be a Clergy-man Beneficed, upon the first Conviction on all his Spiritual Promotions shall be void.

XII. A Peer of the Realm, guilty of such an Offence, shall be Tried by his Peers.

XIII. No Act for any Matter of Religion, or Cause Ecclesiastical made by this Parliament, shall be adjudged any Error, Heresie, or Schism: neither shall any Person, to whom the Queen, Her Heirs and Successors, shall give Authority to execute Spiritual Jurisdictions, have Power to adjudge any Matter to be Heresie, save only such as have been so adjudged by Canonical Scripture, or by one or more of the General Councils, or shall be so adjudged by the Parliament, with the Assent of the Clergy in their Convocation.

XIV. No Persons shall hereafter be Indicted or Arraigned for any of the Offences made by this Act, but by Two or more sufficient Witnesses to be produced *viva voce* to testify the same.

XV. No Person shall be questioned for relieving, aiding or comforting any such Offender, unless it be testified by Two Witnesses (at least) that at the time of such relief, &c. he had notice of the Offence committed. *Repealed as to so much only as concerns the said Oath.* 1 W. & M. cap. 8.

XVI. Stat. 1 Eliz. 3. The Parliament acknowledge the Queen to be right Heir to the Crown, and promise to defend her and the Heirs of her Body in that Estate.

XVII. The Limitation of the Crown contained in 35 H. 8. 1. shall stand and remain Law for ever; and all Clauses of Statutes and other things heretofore passed against the same shall be void.

* XVIII. Stat. 5 Eliz. 1. None shall maintain the Jurisdiction of the Bishop or See of Rome within any of the Queens Dominions, in pain to incur a *Pramunire*, both they and their Accessaries.

XIX. Justices of Assise and Justices of Peace in Sessions, or any Two of them (1 *Quor.*) have power to hear and determine this Offence, and are to certify such Presentments into the Kings Bench within 40 days after they receive them, if it shall be then Term-time; if not, then the First day of the Term then next ensuing, in pain of an 100 l. The Justices of the Kings Bench also, as well upon such Certificate, as also before themselves, have power to hear and determine the same Offence.

XX. All Persons appointed to take the Oaths of Supremacy by 1 Eliz. 1. and all other Persons taking Orders, preferred to any Degree in the Universities, School-Masters, publick and private, all Persons taking any Degree of Learning in the Laws in the Inns of Court or Chancery, all Attornies, Protonotaries, Philizers, Sheriffs, Escheators, Feodaries, all Persons admitted to any Ministry

Ministry or Office belonging to the Common Law, or other Law or Laws, and all Officers and Ministers of every Court, shall take the said Oath *verbatim* before they be admitted to exercise their Office, Ministry, or Profession: Which Oath shall be administered in open Court, unto the Officers and Ministers of Courts; and unto such as belong not to any Court in some open place, in the presence of a convenient Assembly, and before other Persons authorized to give it by common Use, Commission or otherwise.

XXI. Archbishops and Bishops have power to minister the said Oath within their proper Diocese.

XXII. The Lord Chancellor or Keeper (without farther Warrant) may direct Commission to tender it.

XXIII. None compellable to take this Oath by this Act or that of 1 Eliz. shall refuse to take it, in pain to incur a *Pramunire*; so that they be Indicted or Presented for such default within a year.

XXIV. Every Person having Authority to tender this Oath, shall within 40 days after the refusal thereof, if it be then Term-time, if not, then the First day of the next Term, certify under his Hand and Seal the Name, Place, and Degree of the Person so refusing, unto the Kings Bench, in pain of an 100^l. And the Sheriff of the County shall impanel a Jury of the same County, to enquire upon such refusal: Which Jury may upon Evidence, Indict the Party refusing, as well as if the Indictment were preferred in the proper County.

XXV. If any refuse to take the Oath upon the second Tender, or being formerly convicted of maintaining the Jurisdiction of the Bishop or See of Rome, as aforesaid, to commit the like Offence the second time; in both cases, both they and their Accessories shall suffer as in case of High Treason. But here there shall be no corruption of Blood, disheriting of any Heir, forfeiture of Dower, or prejudice to the right of any, save only of the Offender during his Life; and then the Party next in Reversion or Remainder may Enter without any *Ouster le main* to be Sued. Here also none shall be deemed an Accessary for giving of Alms in Charity to the Offender without Fraud.

XXVI. This Oath shall be expounded in such form as is set forth in an Admonition annexed to the Queens Injunctions, published in the First year of her Reign, viz. to acknowledge in her Majesty, her Heirs and Successors, such Authority as was challenged and used by Hen. 8. and Edw. 6. and none other.

XXVII. This Act shall be published every Quarter Sessions by the Clerk of the Peace, and at every Leet by the Serward there, and once every Term in the open Hall of every Inn of Court and Chancery, at such Times, and by such Persons as

shall be appointed by the Lord Chancellor or Keeper for the time being.

XXVIII. Every Member of the Commons House, before he shall have a Voice there, shall take this Oath before the Lord Steward or his Deputy: and if he enter the House before he take it, he shall incur such Penalties as he who presumes to sit there without Election, Return, or Authority.

XXIX. None of or above the Degree of a Baron shall be compelled to take this Oath; and a Peer offending against this Act shall be Tried by his Peers.

XXX. Provided, That none shall be compellable to take this Oath upon a second tender, or be in danger (by refusal thereof) to incur the Penalty of High Treason, save only Clergy-men, Officers of Ecclesiastical Courts, or such as shall not observe the Rites of Divine Service, or do deprave by Words or Writing the Rites and Ceremonies of the Church of *England*, or do use to say or hear private Mass.

XXXI. It shall not be lawful to Slay one Attainted in a *Praemunire*.

XXXII. Saving the due execution of every Person Attainted upon Judgment lawfully given by reason of this Statute, or otherwise; and saving all such pains of death, or other punishment as heretofore might, without danger of Law, be done upon any Person that shall send or bring into the Queens Dominions, or within the same execute any Process against any Person from the Bishop or See of *Rome*.

XXXIII. None shall be hereafter Indicted as an Accessary for any of the said Offences, without sufficient Proof as may satisfy the Jury that are to Indict him. *Quakers exempt from the Penalties of this Act*, per Stat. 1 W. & M. cap. 18. §. 13.

XXXIV. Stat. 13. El. 2. If any shall obtain or put in ure any Bull of Absolution or Reconciliation from the Bishop of *Rome*, or absolve, or be absolved thereby, they and their Accessaries before the Fact, shall be adjudged guilty of High Treason.

XXXV. The Comforters and Maintainers of such Offenders shall incur a *Praemunire*, and their Concealers Misprision of Treason; unless within six Weeks they discover them to some of the Privy Council, or to one of the Presidents or Vice-Presidents of the Councils established in the North, or Marches of *Wales*.

XXXVI. Provided, no Person shall be Impeached of Misprision of Treason, for any Offence made Treason by this Act, other than such as are hereby declared to be in case of Misprision of Treason.

XXXVII. If any shall bring into any of the Queens Dominions any *Agnus Dei*, Crosses, Pictures, Beads, or any such vain or superstitious thing, or deliver or offer the same to any Person to

to be used ; both the Persons so doing, and the Person so receiving the same, shall incur a *Pramunire*. Howbeit, if the Party unto whom the tender thereof shall be made, apprehend the Party tending the same, and carry him before the next Justice of Peace, or not being able so to do, within three days after disclose his Name, and the Place of his abode or resort, unto the Ordinary, or some Justice of Peace within the same County, or, having received the same, doth within one day after deliver it to some Justice of Peace, then shall he not incur any prejudice by reason of this Act.

XXXVIII. A Justice of Peace shall disclose the Offences aforesaid to the Privy Council within 14 days after he shall have notice thereof, in pain of incurring a *Pramunire*.

XXXIX. Here the Trial of Peers shall be by their Peers.

XL. The Right of others saved.

* XLI. Stat. 23 Eliz. 1. It shall be High Treason to have or pretend to have power, or to put in practice, to absolve, perswade or withdraw any within the Queens Dominions from their natural Obedience to her Majesty, or to withdraw them for that intent from the Religion now Established, to the *Romish* Religion : and they also who shall be willingly so withdrawn, or reconciled, as aforesaid, together with the Procurers and Counsellors of such Offenders, shall be adjudged guilty of the same Offence.

✠ XLII. Also their Aiders and Maintainers, who do not discover them within 20 days to some Justice of Peace or higher Officer, shall be adjudged guilty of Misprision of Treason.

XLIII. None shall say or sing Mass, in pain to Forfeit 200 Marks, to suffer one years Imprisonment, and not to be enlarged thence till the Fine be paid ; and none shall hear Mass, in pain of one years Imprisonment, and an 100 Marks.

* XLIV. Every Person not repairing to Church, according to the Stat. of 1 Eliz. 2. (*which see in Service and Sacraments*) shall Forfeit 20^l. for every Month they so make default ; and if they so forbear by the space of 12 Months after Certificate thereof made by the Ordinary into the Kings Bench, a Justice of Assise, Goal-delivery, or Peace of the County where they dwell, shall bind them with two sufficient Sureties in 200^l. (at least) to the good behaviour, from which they shall not be released until they shall repair to Church, according to the said Statute.

XLV. None shall keep a Schoolmaster which absents himself from Church, or not allowed by the Bishop or Ordinary, in pain of 10^l. for every Month he so keeps him ; and such Schoolmaster shall be for ever after disabled to teach Youth, and shall suffer one whole years Imprisonment without Bail.

XLVI. The Offences against this Act, and the Acts of the First, Fifth and Thirteenth Years of the Queens Reign, touching the acknowledgment of her Supreme Government in Causes Ecclesiastical, the Service of God, coming to Church, or Establishment of true Religion within this Realm, shall be inquirable before Justices of Oyer and Terminer, Assize, Goal-delivery, and Peace, in their Circuits and Sessions, within one Year and a Day after such Offence committed, except Treason and Misprision of Treason.

XLVII. Provided, that any of the Offenders aforesaid, which shall before Judgment submit and conform themselves to the Bishop of the Diocese, or in open Assize of Sessions, shall be discharged of every the Offences aforesaid (except Treason and Misprision of Treason) and of all Pains and Penalties incurred for the same.

XLVIII. Of the Forfeitures abovesaid two third Parts the Queen shall have one to her own use, the other for Relief of the Poor in the Parish where the Offence is committed, to be delivered without further Warrant than of the principal Officers of the Receipt of the Exchequer, and the other third Part the Prosecutor shall have. And here the Offender that is not able to pay the Forfeitures, or doth not pay them within three Months after Judgment, shall be committed to Prison, and there remain until he hath satisfied them, or shall conform himself and go to Church.

XLIX. They that have on Sundays the Divine Service established usually read in their Houses, and are commonly present thereat, and do not obstinately refuse to come to Church, but four times in the Year (at least) are present at Divine Service in their own Parish Church, or some other open Chapel of Ease, shall not incur the Penalty aforesaid for not coming to Church.

L. All covinous Grants to defraud the Interest which the Queen or any other Person may claim by virtue of this Act, or of 13 El. 2. shall be adjudged void.

LI. If a Peer of the Realm happen to be Indicted for any Offence made Treason or Misprision of Treason by this Act, he shall be Tried by his Peers.

LII. This Act shall not abridge the Jurisdiction of Ecclesiastical Censures. *Protestant Dissenters from the Church of England exempted from the Penalty of this Act*, per Stat. 1 W. & M. cap. 18.

* LIII. Stat. 27 El. 2. All Jesuits and Seminary Priests, and other Ecclesiastical Persons, born within any of the Queens Dominions, and Ordained or made such by the pretended Jurisdiction of the See of Rome, which come into, or remain in any of the said Dominions, shall be adjudged guilty of High-Treason; and their Receivers, Aiders and Maintainers (knowing them

them to be such, and at liberty) shall be adjudged Felons, without benefit of Clergy.

LIV. All others brought up in Seminaries beyond Sea, and not as yet in Orders, as aforesaid, which do not within six Months after Proclamation made in *London* (in that behalf) return into this Realm, and within two Days after such Return, before the Bishop of the Diocese, or two Justices of Peace of the County where they shall arrive, submit themselves to the Queen and her Laws, and take the Oath of Supremacy, shall also be adjudged guilty of High-Treason.

LV. They who give or send relief to any such Ecclesiastical Person or Seminary, or to any brought up there, as aforesaid, shall incur a *Pramunire*.

LVI. These Offences shall be heard and determined in the Kings Bench, or in any County where they shall be committed, or the Offender taken.

LVII. This Act shall not extend to any Jesuit, or other Ecclesiastical Person aforesaid, which within three Days after his arrival shall submit himself to some Archbishop, Bishop, or Justice of Peace of the County where he Lands, and there take the Oath of Supremacy, and under his Hand acknowledge to continue in due obedience to her Majesties Laws.

LVIII. Here the Trial of a Peer shall be by his Peers.

LIX. If any Person, knowing a Jesuit or Priest to remain within any of the Queens Dominions, do not within 12 Days discover the same to some Justice of Peace, he or she shall make Fine, and suffer Imprisonment during the Queens pleasure: and the Justice of Peace which doth not within 28 Days after disclose it to some of the Privy Council, or to the President or Vice-President of the Councils in the North and Marches of *Wales*, shall Forfeit 200 Marks; and such of those Councils unto whom such Information shall be made, shall deliver a Writing under their Hands unto the Party Informing, testifying that such Information was made unto them.

LX. All Oaths, Bonds and Submissions, as aforesaid, shall within 3 Months be certified into the Chancery by the Parties before whom they are taken, in pain of 100 l.

LXI. None having submitted, as aforesaid, shall within 10 Years after come within 10 Miles of the Court, in pain to lose the benefit of his Submission. *Offences by Jesuit or Romish Priest against this Act, excepted out of the General Pardon,* per Stat. 6 & 7 W. 3, cap. 20. §. 67.

LXII. Stat. 29 El. 6. All Grants, Incumbrances, or Limitations of use made by any Person not repairing to Church (according to the Stat. of 23 El. 1.) and which are revocable by the Offender, intended for his Maintenance, left at his disposition, or in consideration whereof he or his Family are to be

kept, shall be utterly void against the Queen, or to hinder the Levying of the Forfeitures for not coming to Church, or saying, hearing, or being at Mass, or the making of Seisures for the same purpose.

LXIII. Every Conviction of any Offence before mentioned shall be in the Kings Bench, or at the Assise of Goal-delivery, and not elsewhere, and shall by the Justices there be certified into the Exchequer before the end of the Term then next following.

LXIV. The Queen may Seise all the Goods, and two Third Parts of the Lands and Leases of every Offender not repairing to Church, as aforesaid, in such of the Terms of *Easter* and *Michaelmas* as shall happen next after such Conviction, the Sum then due for the Forfeiture of 20 *l.* a Month, and Yearly after that (in the same Terms) according to the rate of 20 *l.* a Month, for so long time as they shall forbear to come to Church, according to the said Stat. of 23 *El.* 1.

LXV. The Indictment against such Offender shall be sufficient, although no mention be therein made that the Party is within the Realm.

LXVI. When an Indictment is found against such an Offender, Proclamation shall be made, that he shall render himself into the Sheriffs Hands before the next Assise or Goal-delivery; which if he do not, that neglect shall be as sufficient a Conviction, as if upon the same Indictment a Trial by Verdict had proceeded.

LXVII. But here, upon the Offenders Submission (according to the said Stat. of 23 *El.* 1.) or Death, no Forfeiture shall ensue, save only the Arrearages due at the time of such Submission or Death.

LXVIII. The Lord Treasurer, Chancellor, and Chief Baron, or any Two of them, shall Assign a third Part of the Forfeitures of 20 *l.* a Month, for the Relief and Maintenance of the Poor, Houses of Correction, and maimed Soldiers.

LXIX. This Act shall not extend to Grants made *bona fide*, nor to continue any Seisure after the Death of the Offender, in such Lands wherein he had only an Estate for Life, or in the Right of his Wife. *Protestant Dissenters exempted from the Penalties of this Act*, per Stat. 1 *W. & M.* cap. 18.

*** LXX.** Stat. 35 *El.* 1. If any above 16 Years of Age shall be convicted to have absented themselves above a Month from Church, without any lawful Cause, impugned the Queens Authority in Causes Ecclesiastical, or frequented Conventicles, or perswaded others so to do, under pretence of exercise of Religion; they shall be committed to Prison, and there remain until they shall conform themselves, and make such open Submission as hereafter shall be prescribed: And if within three Months after such Conviction they refuse to conform and submit themselves,

selves, being thereunto required by a Justice of Peace, they shall in open Assise or Sessions abjure the Realm; And if such Abjuration happen to be before Justices of Peace in Sessions, they shall make Certificate thereof at the next Assise or Gaol-delivery.

LXXI. If such an Offender refuse to abjure, or, going away accordingly, doth return without the Queens Licence, he shall be adjudged a Felon, and shall not enjoy the benefit of Clergy: But if before he be required to abjure he makes his Submission, the Penalties aforesaid shall not be inflicted upon him.

LXXII. The Form of the Submission is as followeth.

I A. B. do humbly confess and acknowledge that I have grievously offended God, in contemning her Majesties godly and lawful Government and Authority, by absenting my self from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and in using and frequenting disordered and unlawful Conventicles and Assemblies, under pretence of Exercise of Religion; and I am heartily sorry for the same; and do acknowledge and testifie in my Conscience, that no other Person bath or ought to have any Power or Authority over her Majesty. And I do promise and protest without any dissimulation, that from henceforth I will from time to time obey and perform her Majesties Laws and Statutes in repairing to the Church, and hearing Divine Service, and do my uttermost endeavour to maintain and defend the same.

LXXIII. The Minister of the Parish where the Submission is made, shall presently enter the same in a Book, and within Ten days after certifie it to the Bishop of the Diocese.

LXXIV. The Offender that after such Submission falleth into a Relapse, shall take no benefit thereby.

LXXV. The Forfeitures of this Act, and of 23 *El.* 1. may be recovered by Action of Debt.

LXXVI. The third Part of the Penalties which accrue by this Act, shall be disposed as those of 29 *El.* 6.

LXXVII. A Feme-covert shall not be compelled to abjure; but any other Offender that abjures, or (being required) refuseth so to do, shall Forfeit all his Goods and his Land during life: Howbeit here shall be no corruption of Blood, loss of Dower, or Disheirison of Heir. *Protestant Dissenters exempted from the Penalties of this Act, per Stat. 1 W. & M. cap. 18.*

* LXXVIII. Stat.

LXXVIII. Stat. 35 *El.* 2. Popish Recusants, above 16 Years of Age, shall within 40 Days after their Conviction repair to their usual Dwelling, and not remove above five Miles from thence, in pain to Forfeit all their Goods, and their Lands and Annuities during Life.  And if they have no certain abode, then are they to repair to the Place where they were born, or where their Father or Mother dwells; and within 20 Days after their arrival there, to give their Names in Writing to the Minister, Constables and Headboroughs; which Minister is to enter them in a Book to be kept for that purpose, and he together with the said Constables and Headboroughs, is to certify the same to the next Quarter Sessions, where the Justices of Peace shall cause them to be Enrolled.

LXXIX. A Copyholder shall in this case also Forfeit his Estate during life, (if his Estate continue so long) to the Lord of the Manor, if such Lord be no Recusant Convict, nor Seised or Possessed in trust to the use of a Recusant; for then the Queen shall have the Forfeiture.

LXXX. A Popish Recusant (being no Feme-covert, nor having Lands worth 20 Marks *per Annum*, or Goods worth 40*l.*) which within the time above limited doth not repair to the place of his Abode, or doth depart above five Miles thence, or within three Months after his arrival there doth not make the Submission hereafter following, (being required so to do by the Bishop, a Justice of Peace, or the Minister there) shall before two Justices of Peace, or the Coroner, abjure the Kingdom; which Abjuration shall be by the said Justices or Coroner certified in at the next Assise or Goal-delivery.

LXXXI. If such Popish Recusant depart not the Realm within the time limited by the said Justices or Coroner, or return without the Queens Licence, he shall be adjudged a Felon without Clergy.

LXXXII. A Jesuit or Priest refusing to answer, shall be committed to Prison, and there remain till he will answer the Questions whereupon he was before examined.

LXXXIII. This Act shall not restrain a Recusant (urged by Process or Summons without fraud) to Travel without the abovesaid limits, so he return again in a convenient Time; neither him that is compelled to tender his Body to the Sheriff.

LXXXIV. If such an Offender before Conviction, upon a Sunday or some Festival day, repair to Church, and there hear Divine Service, and before the Gospel make the Confession following, he shall be discharged of the Penalties inflicted by this Act,

The Confession is this.

LXXXV. I A. B. do humbly confess and acknowledge that I have grievously offended God, in contemning her Majesties godly and Lawful Government and Authority, by absenting my self from Church, and from hearing Divine Service, contrary to the godly Laws and Statutes of this Realm, and I am heartily sorry for the same; and do acknowledge and testifie in my Conscience, that the Bishop and See of Rome hath not, nor ought to have, any Power or Authority over her Majesty, within any of her Majesties Realms or Dominions: And I do promise and protest without Diffimulation, that from henceforth I will from time to time obey and perform her Majesties Laws and Statutes, in repairing to the Church, and hearing Divine Service, and do my uttermost endeavour to maintain and defend the same.

LXXXVI. The Minister of the Parish where such Submission is made, shall presently enter the same in a Book, and within 10 Days after certifie it to the Bishop of the Diocese.

LXXXVII. The Offender that after such Submission falleth into a Relapse, shall take no benefit thereby.

LXXXVIII. Every Married Woman shall be bound by this Act, save only the Clause of Abjuration.

LXXXIX. Stat. 1 Jac. 1. 1. A Recognition, that upon Queen Elizabeths Death the Crown of England, and all the Kingdoms, Dominions and Rights belonging to the same, did by lawful Birthright and Succession descend to King James.

XC. Stat. 1 Jac. 1. 4. All the foresaid Statutes made in the time of Queen Elizabeth, shall be duly put in Execution against all such as do not conform themselves, as aforesaid.

XCI. Where the Ancestor dies a Recusant, the Heir being none, or conforming himself, and taking the Oath of Supremacy before the Archbishop or Bishop of the Diocese, the Land shall be freed from all Penalties.

XCII. If an Heir (within age) after he shall have accomplished the Age of 16 Years, doth still continue a Recusant, his Lands shall not be freed until he do Conform, and take the Oath of Supremacy, as aforesaid.

XCIII. A third Part of every Recusants Lands shall remain clear unto him from Seisure or Extent, and the other two Parts shall remain in the Kings hands, (both before and after the Recusants Death) until the King shall be fully satisfied all the Arrearages for 20 l. a Month, according to 23 El. 1.

* XCIV. None shall send any Child or other Person under their Government beyond the Seas, to be Instructed in the Popish Religion, in pain of 100 l. and they which are so sent shall be incapable (as to themselves only) of any Grant or Inheritance due unto them, or to others for their use.

* XCV. If

* XCV. If a Woman or Child under the age of 21 years be suffered to pass the Seas without Licence of the King, or of six of the Privy Council under their Hands, (except Sailers, Ship-Boys, or Merchants, Factors or Apprentices) the Officers of the Ports shall forfeit their Offices and all their Goods, the Owner of the Ship his Ship and Tackle, and every Master or Mariner of or in the Ship all their Goods, and also suffer a years Imprisonment without Bail.

* XCVI. None out of the Universities shall keep School, except a Free-School, or in some Persons House that is no Recusant, or by Licence of the Bishop or Ordinary, in pain to forfeit 40 s. a day.

XCVII. The Forfeitures of this Act shall be divided betwixt the King and the Prosecutor.

* XCVIII. Stat. 3 Jac. 1. 4. A Recusant that conforms shall within one year after, and so once in every year (at least) receive the blessed Sacrament; in pain to forfeit for the first year 20 l. for the second 40 l. and for every default after 60 l. And if after he hath received it, make default therein by the space of a whole year, he shall forfeit 60 l.

XCIX. These Forfeitures may be recovered before Justices of Peace in Sessions, or in any other Court of Record, and are to be divided betwixt the King and the Prosecutor.

C. The Churchwardens and Constables of every Parish, or one of them, or (if there be none such, then) the High Constable of the Hundred there, shall present once every year at the general Sessions of Peace, the Monthly absence from Church of every Popish Recusant, and their Children being above the age of nine years, and their Servants, together with the age of their Children, as near as they can know them; in pain to forfeit respectively for every such default 20 s. Which Presentment the Clerk of the Peace or Town Clerk shall Record without Fee, in pain of 40 s.

CI. If upon such Presentment (being the first) the Recusant be Convicted, the Officer that presents him shall have 40 s. to be Levied by Warrant upon the Recusants Goods and Estate, as the more part of the Justices of Peace shall think fit.

CII. Justices of Assise, Gaol-delivery and Peace, have power to hear and determine of all Recusants and Offences, as well for not receiving the Sacrament according to this Act, as also for not coming to Church, according to former Laws; and likewise to make Proclamation, that they shall render themselves to the Sheriff or Bailiff of the Liberty where they are, before the next Assise, Gaol-delivery or Sessions respectively: which if they do not, that Default being Recorded, shall be taken for as sufficient a Conviction of them as a Trial by Verdict.

CIII. Every

CIII. Every Offender not repairing to Church, as aforesaid, after their Conviction shall pay into the Chequer, in such of the Terms of *Easter* and *Michaelmas*, as shall happen next after such Conviction, the Sum then due for the forfeiture of 20 *l.* a Month, and yearly after that (in the same Terms) according to the Rate of 20 *l.* a Month; except where the King shall be pleased to take two third parts of their Lands and Leases in lieu thereof, or that they conform themselves, and come to Church.

CIV. Every Conviction shall before the end of the Term next following be certified into the Exchequer, in such convenient certainty, that the Court may thereupon award Process for the Seizure of all the Offenders Goods, and two parts of his Lands and Leases, in case the 20 *l.* a Month be not paid, as aforesaid.

CV. The King may refuse 20 *l.* a Month, and take two third parts of his Lands and Leases; but here he shall not include the Recusants Mansion-house, nor Demise his two parts to a Recusant, or to any other for a Recusants use. And the Kings Lessee for his two parts shall give such Security against committing of Waste, as by the Court of Exchequer shall be thought sufficient.

CVI. It shall be lawful for the Bishop of the Diocese, or two Justices of the Peace (1 *Quor.*) out of Sessions, to tender the Oath hereafter following to any person 18 years old or above (except Noble-men and Noble-women) which stands Convicted or Indicted of Recusancy, hath not received the Sacrament twice in the year next before, or passing through the Country, and examined upon Oath, confesseth, or (at least) denieth not, that he or she is a Recusant, or that he or she hath not Received the Sacrament twice in the year next before; which Bishop or Justices shall certify the Name and Dwelling of the Person so taking the same Oath at the next Sessions, where the Clerk of the Peace or Town Clerk shall Record them.

CVII. If the Persons refuse to answer upon Oath, or to take the Oath aforesaid tendred unto them, the Bishop or Justice aforesaid shall bind them over to the next Assize or Sessions, where if they again refuse it, they shall incur a *Pramunire*, except Women covert, who in that case shall only suffer Imprisonment till they take it.

The Tenor of the Oath is as followeth.

CVIII. *I A. B. do truly and sincerely acknowledge, profess, testify and declare in my Conscience, before God and the World, That our Sovereign Lord King James is lawful and rightful King of this Realm, and of all other his Majesties Dominions and Countries; and that the Pope, neither of himself, nor by any Authority of the Church or See of Rome, or by any other means,*
with

with any other, hath any power or Authority to Depose the King, or to dispose of any of his Majesties Kingdoms or Dominions, or to Authorize any Foreign Prince to Invade or Annoy him or his Countries, or to discharge any of his Subjects of their Allegiance or Obedience to his Majesty, or to give Licence or Leave to any of them to bear Arms, to raise Tumults, or to offer any Violence or hurt to his Majesties Royal Person, State or Government, or to any of his Majesties Subjects, within his Majesties Dominions.

Also I do swear from my Heart, That notwithstanding any Declaration or Sentence of Excommunication or Deprivation made or granted, or to be made or granted, by the Pope or his Successors, or by any Authority derived, or pretended to be derived, from him or his See, against the said King, his Heirs or Successors, or any Absolution of the said Subjects from their Obedience, I will bear Faith and true Allegiance to his Majesty, and him and them will defend to the uttermost of my power against all Conspiracies and Attempts whatsoever, which shall be made against his or their Persons, their Crown and Dignity, by reason or colour of any such Sentence or Declaration, or otherwise; and will do my best endeavour to disclose and make known unto his Majesty, his Heirs and Successors, all Treasons and traiterous Conspiracies which I shall know or hear of to be against him or any of them.

And I do further swear, That I do from my heart abhor, detest and abjure as impious and heretical, this damnable Doctrine and Position, That Princes which be Excommunicated or deprived by the Pope, may be Deposed or Murdered by their Subjects, or any other whatsoever.

And I do believe, and in my Conscience am resolved, That neither the Pope, nor any Person whatsoever, hath power to absolve me of this Oath, or any part thereof, which I acknowledge by good and full Authority to be lawfully ministred unto me, and do renounce all Pardons and Dispensations to the contrary.

And all these things I do plainly and sincerely acknowledge and swear, according to the express words by me spoken, and according to the plain and common sense and understanding of the same words, without any Equivocation or mental Evasion, or secret Reservation whatsoever. And I do make this Recognition and Acknowledgment heartily, willingly and truly, upon the true faith of a Christian.

So help me God.

Repealed only as to so much as concerns this Oath, per Stat. 1 W. & M. cap. 8.

CIX. Unto this Oath the Party taking it, shall subscribe his Name or Mark.

CX. No Indictment against a Recusant shall be reversed for lack of form, or other than by direct Traverse to the Point of not coming to Church, or not receiving the Sacrament, as aforesaid.

CXI. The

CXI. The Party conforming himself shall from thenceforth be admitted to discharge or reverse an Indictment.

CXII. None shall go out of this Realm to Serve any Foreign Prince or State, without first taking the Oath aforesaid, in pain to be adjudged a Felon. And if he have born Office amongst Soldiers before his departure out of the Realm, he shall enter into a Bond unto the Kings use, with the Condition following, upon like pain of being adjudged a Felon.

The Condition is this.

CXIII. *That if the within bounden, &c. shall not at any time then after be reconciled to the Pope or See of Rome, nor shall enter into, nor consent unto any Practise, Plot or Conspiracy whatsoever, against the Kings Majesty, his Heirs and Successors, or any his or their Estate or Estates, Realms or Dominions, but shall within convenient time after knowledge thereof had, reveal and disclose to the Kings Majesty, his Heirs and Successors, or some of the Lords of his or their Honourable Privy Council, all such Practises, Plots and Conspiracies; That then the said Obligation to be void.*

CXIV. None but the Customer and Controller of a Port, or their Deputies, shall have power to take such Bond, or to minister the Oath in such case: for which Bond they shall only take 6*d.* and nothing for the Oath; and shall once every year certify into the Exchequer every such Bond, in pain of 5*l.* and every such Oath in pain of 20*s.*

CXV. To absolve or withdraw any of the Kings Subjects from their natural Obedience to his Majesty, to reconcile them to the Pope or See of Rome, or to move them to promise Obedience to any pretended Authority of the See of Rome, or to any other Prince or State, or to be absolved, withdrawn, reconciled, or to make promise, as aforesaid, shall be adjudged High Treason.

CXVI. This last Clause shall not extend to any reconciled, as aforesaid, (for and touching the Point of so being reconciled only) that shall return into this Realm, and within six days after, before the Bishop of the Diocese, or two Justices of Peace (joyntly or severally) of the County where he shall arrive, submit himself to the King and his Laws, and take the Oath of Supremacy, and also the Oath aforesaid; which said Oaths the said Bishops and Justices respectively shall by this Act have power to minister to such Persons, and shall certify them in at the next General Sessions, in pain of 40*l.*

CXVII. Here the Trial of Treason shall be before Justices of Assise and Gaol-delivery of that County for the time being, and

and may also be before the Justices of the Kings Bench : but Peers in this case shall be Tried by their Peers.

CXVIII. If any Person repaireth not every Sunday to some Church or Chapel, Proof thereof being made to a Justice of Peace by the Party's own Confession, or the Evidence of one Witness, the same Justice hath power to call the Party before him : and if the Party give not the Justice a good reason of his absence, the Justice may give Warrant to the Churchwardens of the Parish under his Hand and Seal, to Levy 12 *d.* for every such Default, by Distress and Sale of Goods : and in default of Distress, the Justice may commit the Offender to prison until he pay the Forfeiture aforesaid, which shall be employed for the use of the Poor. But this Offence must be prosecuted within one Month after it is committed ; and none punished by this Law shall also be punished by the Forfeiture of 12 *d.* upon the Statute of 1 *Eliz.* 2. Which see in Sacraments.

CXIX. None shall keep or retain any Person in their House (Servant or other) which shall forbear to come to Church by the space of a Month together, in pain to forfeit 10 *l.* for every Month they so keep them. Howbeit Children may relieve their Father or Mother, and Guardians their Wards or Pupils.

CXX. The Sheriff, upon a lawful Writ, may justifie to break an House for the taking of a Recusant Excommunicate.

CXXI. The Justices of the Kings Bench, and Justices of Assize and Gaol-delivery, may hear and determine all the Offences committed against this Act, and so may Justices of Peace, all save Treason.

CXXII. The Offences made Felony by this Act shall not cause loss of Dower, corruption of Blood, or disherison of Heirs.

CXXIII. Here, if an Action shall be brought against an Officer for the Execution of this Act, he may plead the General Issue, and yet give special matter in Evidence.

CXXIV. This Act shall not abridge the Jurisdiction of Ecclesiastical Censures.

CXXV. None shall be punished for his Wifes Offence ; neither shall any Married Woman be chargeable with any Penalty or Forfeiture by force of this Act.

CXXVI. Six of the Privy Council (whereof the Lord Chancellor, Lord Treasurer, or Principal Secretary, shall be one) have power to minister the Oaths aforesaid to Noble-men (being 18 years old) and to Noble-women also of the like age, and unmarried, who shall take the same Oaths accordingly, in pain to incur a *Pramunire*. *Vide infra*.

CXXVII. The Warden of the Cinque-Ports, or some authorized by him, shall take the Bond and minister the Oath aforesaid,

aforesaid, where any Person passeth beyond Sea out of them or any of their Members. *Protestant Dissenters exempted from the Penalty of this Act*, per Stat. 1 W. & M. cap. 18.

CXXVIII. Stat. 3 Jac. 1. cap. 5. The Person that within Three days notice shall discover to a Justice of Peace any that entertains a Popish Priest, or any which have heard or said Mass, shall have a Third part of the Forfeiture due for the same Offences, if the whole exceed not 150 *l.* and then only 50 *l.* thereof, to be delivered unto him by the Sheriff, or other Officer which shall have power to levy the same.

CXXIX. No Convicted Recusant shall come into the Court without Command from the King, or Warrant from the Privy Council under their Hands, in pain of 100 *l.* to be divided betwixt the King and the Discoverer.

CXXX. A Popish Recusant Convicted or Indicted, or any Person not coming to Church by the space of Three months together, which remains in *London*, or within 10 Miles distance thereof, shall within 10 days after such Conviction or Indictment depart from thence, and also shall deliver their Names (in *London*) to the Lord Mayor there, and (in the County) to the next Justice of Peace, in pain of an 100 *l.* to be divided betwixt the King and the Prosecutor. Howbeit, this Clause shall not extend to Tradesmen or such as have no other Habitation than in *London*, or within 10 Miles distance, as aforesaid.

CXXXI. It shall be lawful for a Recusant to go about his necessary Occasions, as far as a Licence (obtained from the King, or from Three of the Privy Council, under their Hands, or Four of the next Justices of Peace, under their Hands and Seals, with the Assent in Writing of the Bishop, Lieutenant, or Deputy-Lieutenant of the same County) shall give him leave, notwithstanding the Statute of 35 *Elix.* 2. which Licence shall not be granted by the said Justices till the Party hath made Oath of the true reason of his Journey, and that he will make no causeless stays.

CXXXII. No Convicted Recusant shall practise the Common Law, Civil Law, Physick, or Art of Apothecary, or be an Officer of or in any Court, or bear any Office amongst Soldiers, or in a Ship, Castle or Fortrefs, in pain of an 100 *l.* to be divided betwixt the King and the Prosecutor.

CXXXIII. No Popish Recusant Convict, or whose Wife is a Popish Recusant Convict, shall exercise any Publick Office in the Commonwealth by himself or his Deputy, unless he bring up his Children in the true Religion, and together with his Children and Servants repair to the Church, and receive the Sacrament at such times as by the Law are limited.

CXXXIV. A married Woman, being a Popish Recusant Convict (her Husband being none) that doth not conform her self, as aforesaid, by the space of One whole year before her Husbands death, shall Forfeit Two third parts of her Dower or Joynture, and shall be incapable of being Executrix or Administratrix to her Husband, and of enjoying any part of her Husbands Goods.

CXXXV. A Popish Recusant after Conviction, shall be reputed to all Intents as a Person Excommunicate, until he shall Conform, go to Church, Receive the Sacrament, and Take the Oath of Obedience ordained by 3 Jac. 1. 4. Howbeit, he may sue for his Interest in Lands not seised into the Kings Hands.

CXXXVI. A Popish Recusant Convict, which is married otherwise than in open Church, and by a lawful Minister, according to the Orders of the Church of *England*, shall not be Tenant by the Courtesie; and a Woman also (in this case) shall be disabled to enjoy her Dower, Joynture, Widows Estate, or any of her Husbands Goods: and where a Man cannot be Tenant by the Courtesie, he shall Forfeit 100 *l.* to be divided betwixt the King and the Prosecutors.

CXXXVII. Every Popish Recusant shall within One month after the Birth of his Child, cause it to be Baptized by a lawful Minister, in pain to Forfeit 100 *l.* if he out-live the Month; if not, then his Wife is to pay the same Forfeiture; which shall be divided into Three parts, whereof the King shall have one, the Prosecutor another, and the Poor of the Parish the third.

CXXXVIII. Every Popish Recusant shall be buried in the Church or Church-yard, and according to the Ecclesiastical Laws of this Realm, in pain that his Executor, Administrator, or the Party that caused him to be otherwise buried, shall Forfeit 20 *l.* to be divided into Three parts, and disposed, as aforesaid.

CXXXIX. A Child (being no Soldier, Mariner, Merchant or Apprentice, or Factor to a Merchant) shall not be sent or go beyond Sea without Licence of the King, or Six of the Privy Council (whereof the Principal Secretary shall be one) in pain to be thereby incapable to enjoy any Lands or Goods by Descent or Grant, until (being 18 years of age, or above) he take the said Oath of Obedience before some Justice of Peace of the County where his Parents do or did dwell. And in the mean time, the next of his Kin (being no Popish Recusant) shall enjoy the Lands and Goods; but shall be accountable to the other, in case he after conform himself, as aforesaid. And he that so goes out of the Kingdom without Licence, shall Forfeit 100 *l.* to be divided and employed, as aforesaid.

CXL. A Popish Recusant Convict shall be disabled to Present to a Benefice; but in stead of him, the Chancellor and Scholars of the Universities of *Oxford* and *Cambridge*, shall Present within several Counties respectively. *For which see the Statute at large.* Howbeit they shall not confer it upon a Man already Beneficed.

CXLI. A Popish Recusant Convict shall not be an Executor, Administrator, or Guardian; but the next of Kin (being no Recusant, and unto whom the Land cannot lawfully descend) shall have the Wardship and Tutition of an Heir or Orphan in that case.

CXLII. A Grant of the Kings Ward to a Popish Recusant Convict shall be void.

CXLIII. None shall bring from beyond Sea, Print, Sell or Buy any Popish Primmers, Ladies Psalters, Manuals, Rosaries, Popish Catechisms, Missals, Breviaries, Portals, Legends of Lives of Saints, in what Language soever they shall be Printed or Written, nor any other superstitious Books, Printed or Written in the *English* Tongue, in pain to Forfeit 40 s. for every such Book, to be divided into Three parts, and imployed, as aforesaid.

CXLIV. Two Justices of Peace, and all Mayors, Bailiffs, and Head Officers, have power to search the Houses and Lodgings of Popish Recusants Convict, and of every Person whose Wife is a Popish Recusant Convict, for Popish Books and Reliques, and to burn and deface such as they shall find in their Custody; but such as are of value shall be defaced in open Sessions, and afterward restored to the Owner.

CXLV. All the Armour, Gunpowder, and Munition of a Popish Recusant Convict, shall be taken from him by Warrant from Four Justices of Peace at the General Sessions (other than such Weapons as shall be allowed unto him by the said Justices;) which said Armour and Munition shall be kept at the Cost of such Recusant in such Places where the said Justices shall appoint, and shewed at every Muster as his Arms, together with his Horse, which he shall buy, provide and maintain for that purpose, according to his Ability, as other Subjects do. And here, the Recusant that refuseth to declare what Armour and Munition he hath, or to deliver it to such Persons as shall have power to seise it, shall Forfeit the same to the King, and besides, shall, upon Warrant from any Justice of Peace of that County, be imprisoned by the space of Three months without Bail.

CXLVI. This Act shall not abridge Ecclesiastical Censures. *Protestant Dissenters exempt from the Penalties of this Act*, per Stat. 1 W. & M. cap. 18.

CXLVII. Stat. 7 Jac. 1. 2. No Person of the age of 18 years or above, shall be Naturalized or restored to Blood, unless

less he have received the Lords Supper within a Month before his Bill was exhibited, and also do take (before the Bill be twice Read) the Oaths of Supremacy and Allegiance, to be ministred unto him (in the House of Lords) by the Lord Chancellor or Keeper, and (in the Commons House) by the Speaker.

* CXLVIII. Stat. 7 Jac. 1. c. 6. Who shall take the Oath of Obedience (or Allegiance) by whom it shall be ministred, and within what time.

CXLIX. It shall be lawful for any of the Privy Council, or any Bishop within his Diocese, to require a Baron or Barones of 18 years of age, or above, to take the said Oath: and likewise for any two Justices of Peace (1 Quor.) to require any Person of the age aforesaid, or above, and under the Degrees aforesaid, to take the same Oath.

CL. If any Baron or Barones stand Presented, Indicted or Convicted for Recusancy, three of the Privy Council (whereof the Lord Chancellor, Treasurer, Privy Seal, or the Principal Secretary shall be one) shall minister unto them the said Oath: but if it be any other Convicted Person under those Degrees, or if the Minister, Petty Constables, or Churchwardens of any Parish, or any two of them, shall complain to any Justice of Peace of any Person suspected for Recusancy; then any such Justice may, in either of the said Cases, minister the said Oath, and upon refusal, shall commit the Party to Prison, there to remain until the next Assise or Sessions, where if he or she again refuse to take it, they shall incur a *Præmunire*; except Women Covert, who shall only be Imprisoned, and there remain without Bail, until they shall take the said Oath.

CLI. None refusing the said Oath shall be capable of any Office of Judicature, or of other Office (being no Office of Inheritance or Ministerial Function) or to practise the Common Law, Physick, Chirurgery, the Art of Apothecary, or any liberal Science, for Gain.

CLII. If a married Woman, being a Convicted Recusant, do not conform within Three Months after Conviction, she shall be committed to Prison by a Privy Councillor, or the Bishop of the Diocese, if she be a Barones: but if any other of a lower Degree, then shall she be committed by Two Justices of Peace (1 Quor.) and there shall remain until she conform, as aforesaid; unless the Husband for the Wifes Offence will pay unto the King 10 *l.* for every Month, or yield the Third part of all his Lands at the choice of the said Husband.

CLIII. None shall go himself, or send any Person whatsoever beyond Sea, to be Trained up in Popery, or any Maintenance or Relief to the Party so-sent, or to any School or Religious House there, in pain (after Conviction thereof) to be adjudged unable to prosecute any Suit in any Court of Equity, to be Committee of any Ward, Executor or Administrator,

tor, to be incapable of any Legacy or Deed of Gift, or of bearing Office within this Realm; and besides to Forfeit all his Goods and Chattels, and his Lands also during life. But if he conform within Six Weeks after his return, according to the Statutes in that case provided, he shall not incur the Penalties aforesaid.

CLIV. These Offences shall be heard and determined by the Justices of the Kings Bench, Assise, Goal-delivery, and Oyer and Terminer, of such Counties where the Offenders did last dwell, or whence they departed, or where they shall be taken.

CLV. For Uniformity of Common Prayer: *See Title Service and Sacraments.*

* CLVI. Stat. 3 Car. 1. 2. The Statute of 1 Jac. 1. 4. shall be duly put in execution: and none of the Kings Subjects shall pass or go, or shall convey or send, or cause to be conveyed or sent any Child, or other Person out of any of the Kings Dominions, into any parts beyond the Seas out of the Kings Obedience, to the intent to be Resident or Trained up in any Popish Society, School or Family, or to be there Instructed in the Popish Religion, in any sort to profess the same: neither shall any convey, or cause to be conveyed any Money, or other thing towards the maintenance of any such Child or Person already gone or sent, or to go or be sent, and Trained and Instructed, as aforesaid; or (under the name of Charity) towards the relief of any such Society or Religious House; upon pain (after Conviction in any of the aforesaid Cases) to be disabled to sue, or use any Action, Bill, Plaint or Information in course of Law, or to prosecute any Suit in Equity, or to be Committee of any Ward, or Executor or Administrator to any Person, or capable of any Legacy or Deed of Gift, or to bear Office within the Realm, and to Forfeit all his Goods and Chattels, and also his Lands, Rents and Annuities, and Offices, during his Life.

CLVII. Howbeit, no Person sent or conveyed, as aforesaid, who shall within Six Weeks after his return, conform himself to the present Religion here Established, and receive the Sacrament of the Lords Supper, shall incur any of the Penalties aforesaid.

CLVIII. Justices of the Kings Bench, Assise, Goal-delivery, and Oyer and Terminer, have power to hear and determine these Offences in such Counties where such Offenders did last dwell, or whence they departed, or where they are taken.

CLIX. Stat. 16 & 17 Car. 1. 11. The Branch of the Stat. of 1 Eliz. 1. which gave power by Commission under the Great Seal to Exercise Ecclesiastical Jurisdiction (*and whereupon the Authority of the High-Commission-Court was founded,*) is Repealed.

CLX. No new Court, which may have the like power that the High Commission pretended to have, shall be hereafter erected ; but all such Jurisdictions, and all Acts, Sentences and Decrees, made by colour thereof, shall be utterly void and of none effect.

CLXI. Stat. 13 Car. 2. cap. 12. The Stat. of 17 Car. 1. cap. 11. Repealed, except what concerns the High Commission Court, or the new erecting of some such Court by Commission : and the Ecclesiastical Jurisdiction restored, as it was by Law before the Year 1639.

CLXII. It shall not be lawful for any Person Exercising Spiritual or Ecclesiastical Jurisdiction, to tender the Oath *Ex Officio*, or any Oath whereby the Persons to whom, &c. may be compelled to confess, or to accuse or purge themselves of any Criminal thing.

Cui in vita.

I. West. 2. 3. 13 E. 2. A Writ of Entry (called *Cui in vita*) is given to the Wife for the Recovery of her Land lost by the Default of the Husband in his Life-time : And in his Life-time also she shall be admitted to defend her Right, if she come in before Judgment.

H. The like Privilege is given to the Reversioner, where the Tenant in Dower, by the Courtesie, for Life, or by Gift, doth lose by Default, or will yield up the Land.

Customs, Customers, and Controllers.

I. Stat. 14 E. 3. 21. A Mark shall be the Custom of a Sack of Wooll and of Wooll-fells, and Leather the old Custom.

II. A Sack of Wooll shall contain 26 Stone, and each Stone 14 Pounds : and for every Sack of Wooll Exported, four Nobles worth of Silver Plate shall be Imported, and brought to the Kings Exchange, where the Party shall receive his Money for his Plate.

III. Wooll shall not be Coquetted but in the name of the right Owner, in pain to Forfeit the same.

IV. Stat. 14 R. 2. 10. No Customer or Controller shall have any Ships of his own, nor meddle with the Freight of Ships.

V. Stat. 4 H. 4. 20. Every Customer upon his Account shall be sworn to render a true Account to the King.

VI. Stat. 11 H. 4. 2. None that holderh a common Hostery shall be a Customer, Finder, or Searcher.

VII. Stat. 3 H. 6. 3. No Customer, Collector or Controller shall conceal Customs duly Entred and Paid, in pain to Forfeit the treble Value of Merchandise so Customed, and
to

to make Fine and Ransom to the King; of which Penalties the Prosecutor shall have a third Part.

VIII. Stat. 11 H. 6. 15. Every Customer and Controller shall deliver to the Merchant a Warrant (under the Seal of their Office) of the Merchandize to them shewed, without Fee, in pain to be subject to be sued by the Merchant, and to Forfeit for every such default to *l.* to the King, and *5 l.* to the Merchant.

IX. Stat. 20 H. 6. 4. Merchant Denizens that Transport any Wooll, Wooll-fells, or Tin, to any other place than the Staple, shall pay such Custom and other Duties for the same as Merchants Aliens pay.

X. This Statute shall not prohibit such as have the Kings Licence to Transport those Commodities to other places than *Calice*, where (it seems) the Staple then was.

XI. Stat. 20 H. 6. 5. No Customer, Controller, Searcher, Surveyor of Searchers, or their Clerks, Deputies, Ministers, Factors or Servants, shall have any Ship of their own, use Merchandize, keep a Wharf, Inn or Tavern, or be a Factor, Attorney, or Host to a Merchant, in pain of *40 l.* to be divided betwixt the King and the Prosecutor.

XII. Stat. 1 H. 7. 2. Aliens made Denizens shall pay such Customs and Subsidies as they did before they were made Denizens.

XIII. Stat. 3 H. 7. 7. Every Merchant that Importing any Goods into this Realm, Entering the same with the Customer of the Port where he Lands, and paying there all Duties, is minded to Transport them to some other Port, shall obtain a Certificate under the Customers Seals, expressing the Nature, Colour, Length, Value, Content or Weight of such Goods, to be directed and delivered to the Customers of the Port where they are to be conveyed, before they be discharged, in pain to Forfeit the said Goods, to be divided betwixt the King and the Prosecutor. And the Customers are to make a true Certificate thereof, in pain to Forfeit their Offices, and make Fine at the Kings pleasure.

XIV. No Merchant, Denizen or Stranger, shall make Entry of any Goods in the Customers Books, but only in the Name of the right Owner, in pain to Forfeit the same, suffer Imprisonment, and make Fine at the Kings pleasure.

XV. None shall take upon him to be a Customer, Controller or Searcher, in any City, Borough or Town, while he is a common Officer, or Deputy to a common Officer there, in pain to Forfeit *40 l.* for every six Months he so executes them together, to be divided betwixt the King and the Prosecutor.

XVI. Stat. 11 H. 7. 6. The Custom and Subsidy of all Woollen Clothes to be carried beyond Sea, wheresoever they

were Packed, shall be paid to the Customers of the Port where they shall be Shipped, or to their Deputies.

XVII. Stat. 11 H. 7. 14. Merchants Strangers, though made Denizens, shall pay such Customs and Subsidies as they should have paid if they had not been made Denizens.

XVIII. Stat. 1 H. 8. 5. The Branch of the Statute of 3 H. 7. 7. concerning the Entry of Goods in anothers Name, is Repealed, because it seemed to extend as well to *Englishmen* as Strangers.

XIX. Any *Englishman*, and other Subject of the Kings, may Custom in his own name the Goods of another *Englishman* or Subject.

XX. Every Merchant-Stranger may Custom in his own Name the Goods of another Merchant-Stranger; so that such Merchant-Stranger, and also the Owner of the Goods, be charged with like Custom.

XXI. He that so Customs Goods that the King thereby loseth his Custom or other Duties, shall Forfeit the Goods to the King, and as much to the Party grieved as the Goods are worth.

XXII. None free of the Prizage or Butlerage of Wine shall Custom any Wines of another not free thereof, in pain to Forfeit the double Value of the Wines so Customed.

XXIII. An Action of Debt is given to the Party grieved against him that Customs Goods in his own Name, when they are another Mans, to recover the Value of the Goods so Customed.

XXIV. Stat. 4 H. 8. 6. No Collector or Controller of the Subsidy of Cloth of Gold, Silver, Baudekin, Velvet, Damask, Sattin, Sarfenet, Tartron, Chamlet, or other Cloth of Silk, shall take any thing for Sealing the same, in pain to Forfeit 20 l. for every time.

XXV. The Collector or Controller shall not delay the Merchant in Sealing such Merchandize, in pain of 40 s. to be divided betwixt the King and the Merchant grieved.

XXVI. Stat. 2, 3 E. 6. 22. If any offend contrary to the Stat. of 1 H. 8. 5. they shall Forfeit all their Goods and Chattels, to be divided betwixt the King and the Prosecutor, if the Action be prosecuted within three Years.

XXVII. Stat. 12 Car. 2. cap. 4. Granted to the King for his Life, one Subsidy called Tonnage, viz. of every Ton of Wine of the Growth of any the Dominions of the *French* King, brought by way of Merchandize into the Port of *London*, by Natural born Subjects 4 l. 10 s. by Strangers and Aliens 6 l. of every Ton of the like Wine brought by way of Merchandize into other Places of this Kingdom by Natural born Subjects, 3 l. by Aliens, 4 l. 10 s. Of every Pipe of Sweet Wines brought into the Port of *London*, by Natural born Subjects, 45 s. by Strangers and

and Aliens, 3 *l.* Of every Pipe of the like Wine brought into any other Places of this Kingdom by Natural born Subjects, 30 *s.* by Strangers and Aliens, 45 *s.* And of every Awm of Rhenish Wine, or Wine of the growth of *Germany*, brought into this Realm, and the Dominions thereof, by Natural born Subjects, 20 *s.* by Aliens, 25 *s.*

XXVIII. Granted also Poundage, *viz.* of all Merchandise to be carried out of this Realm, or any of the Kings Dominions to the same belonging, or to be brought into the same, of the Value of every 20 *s.* 12 *d.* and of every 20 *s.* Value of the native Commodities of this Realm, or Manufactures wrought of them, to be carried out by Aliens, 12 *d.* more. Except out of this Grant Woollen Cloths made in *England*, commonly called old Draperies, and Wines paying Tonnage, Fish *English* taken, and brought in by *English* Bottoms, and all fresh Fish and Bestial that shall come into this Realm, and all Goods mentioned in the Book of Rates to be Custom-free.

XXIX. Granted likewise for every Short Woollen Cloth, called Broad Cloth, not exceeding 28 Yards in length, and 64 Pounds in weight, and of every other Short Cloth of old Drapery of lesser length and weight, accounting so many Pieces to a Short Cloth as is limited by the Book of Rates, to be Exported by Natural born Subjects, 3 *s.* and 4 *d.* by Aliens 6 *s.* and 8 *d.* and so proportionably.

XXX. Goods put into any Boat or Vessel to be carried beyond Sea, or brought from beyond Sea, and unshipped to be laid on Land, the Duties aforesaid not being paid, or tendred to the Collector, or his Deputy, with consent of the Controller or Surveyor, nor agreed for in the Custom-house, shall be Forfeited, the one half to the King, the other for him that will Seise or Sue for them.

XXXI. If a Denizens Goods be taken at Sea or perished, whereof the Duties aforesaid shall be paid, or, &c. and that proved before the Lord Treasurer of *England*, Commissioners of the Treasury, or Chief Baron of the Exchequer by examination of the Merchant or his Executors, or two Witnesses at least sworn, or other reasonable Witnesses, and Proof sworn; the Merchant, his Executors, &c. may Ship in the same Port so much other Merchandise as the Goods lost shall amount to in Custom, without paying any thing: So as the Proof be Recorded and allowed in the Exchequer, and certified to the Collectors of the Customs.

XXXII. Denizens that Ship in Carracks or Galleys, shall pay as Aliens.

XXXIII. Herring and other Sea-fish may be Transported in Vessels of the Subjects of this Realm, without paying any thing.

XXXIV. Because no Rates can be imposed on Merchandise but by common consent in Parliament, the Rates intended by this Act shall be the Rates mentioned in the Book of Rates.

XXXV. Custo-

XXXV. Customers and Collectors shall take no other Fees than were taken 4 *Jac.* 1. where the Goods Exported or Imported amount to 3*l.* value or more.

XXXVI. Over and above the Rates above mentioned there shall be paid of every Ton of Wine of the growth of *France*, *Germany*, *Portugal*, *Madera*, 3*l.* and of every Ton of other Wines, 4*l.* within 9 Months after the Importing: for which Security shall be given. And if any of the said Wines be Exported within 12 Months after their Importation, the Duty shall be returned, or Security discharged for so much. The Importer shall be allowed after the Rate of 10 *per Cent.* for ready money.

XXXVII. Wines Imported shall be free from Excise.

XXXVIII. Prize-Wines shall not be charged with any payment by this Act. *Confirmed* 13 *Car.* 2. *cap.* 7. *Continued per Stat.* 2 *W. & M.* *cap.* 4. *Continued per Stat.* 6 *W. & M.* *cap.* 1. *Continued per Stat.* 7 & 8 *W.* 3. *Continued per Stat.* 8 & 9 *W.* 3. till the first Day of Aug. 1706. *Continued per* 1 *Anna* *cap.* 13. till 1 August, 1710. *Continued per* 3 *Anna* *cap.* 27. till 1 August, 1712. See *Washington, Customs* 325.

XXXIX. *Stat.* 1 *Jac.* 2. *cap.* 1. The foresaid Duty of Tonnage and Poundage shall be Levied Collected and Paid to the said King *James* the Second, during his Life: and the aforesaid Act (of 12 *Car.* 2. *cap.* 4.) and an Order of the Commons in Parliament, made in pursuance of the Rules and Orders annexed to the said Act of Tonnage and Poundage, for settling of Officers Fees, dated 17 May 1662, and Signed by Sir *Edward Turner* then Speaker, shall be in force during the Life of King *James* the Second.

XL. *Stat.* 12 *Car.* 2. *cap.* 19. If any Person cause any Goods to be Landed, for which Duties are payable by Virtue of the foregoing Act, or to be conveyed away without Entry thereof made, and the Customer or Collector, &c. agreed with, upon Oath thereof before the Lord Treasurer, any of the Barons of the Exchequer, or Chief Magistrate of the Place where, &c. or Place next adjoining, the Lord Treasurer, or, &c. may issue a Warrant to any Person or Persons, with the Assistance of a Sheriff, Justice of Peace, or Constable, to enter in the Day-time, and in case of Resistance, to break open Houses where such Goods are suspected to be concealed, and Seize them. All Ministers of Justice are required to be Assisting.

XLI. No House shall be entred by virtue of this Act, but within a Month after the Offence supposed to be committed.

XLII. If the Information whereupon any House shall be searched prove false, the Party injured shall recover full Damages and Costs against the Informer in an Action of Trespass.

XLIII. This Act shall continue but to the end of the first Sessions of the next Parliament. *Confirmed* 13 *Car.* 2. *cap.* 7.

XLIV. *Stat.* 1 *Jac.* 2. *cap.* 1. The last mentioned Act continued during the Life of King *James* the Second. *Continued per*

per Stat. 2 *W. & M.* cap. 4. §. 3. Continued per Stat. 6 *W. & M.* cap. 1. Continued per Stat. 8 & 9 *W.* 3. till 1 Aug. 1706. Continued per 1 *An.* cap. 13. till 1 Aug. 1710.

XLV. Stat. 13 & 14 *Car.* 2 cap. 11. No Vessel arriving from beyond Sea, shall be above three days coming from *Gravesend* to the place of her discharge in the *Thames*, without touching at any place between *Gravesend* and *Chesters Key*, (except by reason of some just Impediment to be allowed by some principal Officers of the Customs) and then or before the Master and Purser shall make true entry upon Oath of the Lading, with the Marks, Qualities, &c. of every parcel of Goods, and where she took in her Lading, of what Country built, how Manned, who was Master and Owners: and in Out-Ports to come directly to the place of Unlading, and make Entries, &c. on the penalty of 100*l.*

XLVI. No Persons taking charge of any Vessel outward bound, having Commission from or belonging to the King of *England*, or any Foreign Prince or State, or otherwise, shall take in any *English* Goods, till they have entred such Vessel in the Book of the Commissioners, Customer, and Controller outwards of the Port, where, &c. the Name of the Captain or Master, burthen of the Vessel, number of the Guns and Ammunition, and to what Port she intends; and before they depart, they shall bring to such Customer, &c. a Content under their Hand of the Names of every Lader, with the Marks and Numbers of the Goods, and shall in the open Custom-house upon Oath to the best of their knowledge answer the Questions to be demanded by Persons appointed to manage the Customs, &c. concerning such Goods, on pain to forfeit 100*l.*

XLVII. And no such Captain, Master, or other taking charge of any Vessel of War, wherein Goods have been brought from beyond Sea, or out of *Scotland*, shall put into any Boat, or lay on Land any Goods before he have signified in Writing to the Customer and Controller inwards, the Laders Names, Number, Marks, Quantity and Quality of every parcel of Goods, and have answered upon Oath to such Questions as shall be Administred in the open Custom-house by, &c. and such Vessels shall be liable to all Searches and other Rules, that Merchants Ships are, (Vituallling Bills and Entring excepted) on pain to forfeit 100*l.* and upon refusal to make such Entries outward or inward, the said Customers, &c. may Enter such Vessel, and bring into the Kings Store-house all Goods prohibited and uncustomed.

XLVIII. Officers of the Customs may enter any Vessel, and bring on Shore all Goods prohibited and uncustomed, except Jewels, if outward bound; and if inward bound, may bring into the Kings Store-house all Goods found in any small pack-
age

age or secret place in or out of the Hold : and all Goods for which the Duties of Tonnage and Poundage were not paid or compounded for within 20 days after the first Entry of the Ship, there to remain till the Kings Duty is satisfied, unless they see cause to allow a longer time. If any Master, Purser, &c. suffer any Package to be opened, and the Goods imbezelled or put into any other Package after the Ship comes into the Port, he shall forfeit 100*l*.

XLIX. If any concealed Goods are found after clearing, for which the Duties due upon Importation have not been paid, the Master or other taking charge of such Vessel, shall forfeit 100*l*. And any Person authorised by Writ of Assistance under the Exchequer Seal, may take a Constable or other Officer, and enter any House or other place, and in case of resistance break open Doors, Trunks, &c. and seise and bring Goods prohibited and uncustomed into the Kings Storehouse.

L. No Foreign built Ship not named in a List to be delivered by the Officers of the Customs in all Ports to the Collectors and Surveyors of the Port of *London*, before *Decemb. 1662.* shall enjoy the privilege of a Ship belonging to *England* or *Ireland*, except such as shall be condemned as Prize. All Persons that shall resist, abuse, beat, &c. any of the said Officers or their Deputies in the execution of their Office, shall by the next Justice of Peace or other Magistrate be committed to Prison, till the next Quarter Sessions, to be Fined not exceeding 100*l*. and to remain in Prison till discharged by Order of the Exchequer, or till they discover who set them on work.

LI. If Keepers of Wharfs, Keys, Cranes, or their Servants, Land or Ship, or suffer to be Landed or Shipt, Goods prohibited, or whereof any Duties are payable, without the presence of some of the Officers of the Customs, or at times not appointed by Law (except in the Port of *Hull*, as by 1 *Eliz. cap. 11.*) or Goods passing by Certificate, Waste, Coquet or otherwise, without the presence of, or notice given to an Officer, such Keepers of Wharfs shall forfeit 100*l*. and if any Goods shall be laden into any Boat to be carried aboard any Vessel outwards bound, or taken out of any Vessel arriving from Foreign Parts, without a Warrant and presence of one Officer, such Boat shall be forfeited, and the Master or other Mariner of any Ship inward bound consenting thereto, shall forfeit the value of such Goods. Persons assisting in the Landing or Shipping off such Goods, being apprehended by Warrant of a Justice of Peace, the Fact being proved by the Oaths of two Witnesses, for the first Offence shall be committed to the next Gaol, till they find Sureties to be of good Behaviour, till they be discharged by

by the Lord-Treasurer, Chancellor, Under-Treasurer, or Barons of the Exchequer, and for the second Offence be committed for two Months, or till they pay 5 *l.* to the Sheriff for the Kings use, or till they be discharged by the Lord-Treasurer, &c. Goods Shipped to be carried to Sea, and Landed at any other place of this Realm, without a Warrant from the Officers of the Customs, shall be forfeited, and the Masters of Vessels taking in such Goods, shall before the Vessel be carried out of Port take a Cocquet, and become bound to the King with good Security in the value of the said Goods, for the delivery thereof in some place within the Realm, and to return a Certificate within six Months from the Officers of the Customs, Signed by some appointed to manage the Customs, or their Deputies where the same shall be Landed, that such Goods were there discharged.

LII. Officers making false Certificates of Goods that should have been Landed, shall lose their Employment, and forfeit 50 *l.* and suffer one years Imprisonment, and be incapable of any place of Trust concerning the Customs, and liable to such Corporal punishment as the Court of Exchequer shall think fit: Persons counterfeiting, razing or falsifying any Cocquet, Certificate, or Return, Transire, or other Custom-house Warrant, shall forfeit 100 *l.* and the Cocquet, &c. shall be void.

LIII. If any Goods for which Subsidy or Custom is payable, shall be secretly conveyed on Board any Vessel, and escape discovery by the Officers of the Customs, and be carried beyond Sea, the Owners of them, or others that Shipped them, shall forfeit double their value, computed according to the Book of Rates: except for Coal, which so secretly Exported, shall pay double the Duty, to be Levied as by the Act of Tonnage and Poundage is directed.

LIV. Merchants and others passing Goods inwards or outwards, shall by themselves or their Agents subscribe one Bill of every Entry, with the Mark, Number and Contents or Weight of the said Goods, without which no Entry shall pass: and no Children of Aliens under the age of 21 years shall be Traders, nor Goods Entred in their Names.

LV. In Suits upon any Law concerning Tonnage and Poundage, or Ships or Goods to be forfeited by reason of any unlawful Importation or Exportation, there shall be no Party Jury.

LVI. Merchants and others having Allowances inwards, shall upon Oath by themselves or their Factors, receive the Money due upon Debentures for such Foreign Goods Exported by such Certificate, with such Allowances as were made them upon the Importation. And if they Ship out less than is expressed in their Certificate, the Goods therein mentioned, or their

their value, shall be forfeited, and the Owner receive back no part of the Subsidy for them. And Goods so Shipped out, and Landed again within the Realm, unless to save them from perishing, shall be forfeited, or the value of them, and no Allowance made for them.

LVII. Goods brought out of, or carried into *Scotland* by Land, shall be carried through *Berwick* or *Carlisle*, and shall there pay the Custom and Subsidy granted by the Act for Tonnage and Poundage, and Goods passing the said places without Entry and Payment, shall be forfeited.

LVIII. The King may from time to time, by Commission out of the Exchequer, appoint places (except the Town of *Hull*) for Discharging or Shipping Goods, and to what Ports such place shall appertain: and where any such place shall be appointed, the Customer, Collector, Controller and Searcher of the head Port, their Deputy or Deputies shall reside there: and by virtue of the said Commissions, may appoint the Limits of every Port, Haven or Creek. And no Goods shall be put into any Vessel to be Exported (Fish taken by the Kings Subjects, Sea-coal, Stone and Bestials only excepted) or laid on Land, to be Imported (Fish taken by the Kings Subjects, Bestials and Salt only excepted) by way of Merchandise, but upon such open place, without leave from the Officers of the Customs, on pain to forfeit all such Goods.

LIX. No Ship or Goods shall be seised as forfeited for unlawful Importation or Exportation, or non-payment of any Customs or Subsidies, but by the Officers of the Customs, or by Warrant from the Lord-Treasurer, or Under-Treasurer, or by special Commission under the Great Seal or Privy Seal, and Seizures by others shall be void.

LX. In every Suit wherein any Officers of the Customs, or Persons authorized to put in execution the Act of 12 Car. 2. cap. 18. for encouraging Navigation, or others acting in aid of them, shall be prosecuted, they may plead the General Issue, and give this or the said Act in Evidence.

LXI. If any Officer shall prosecute to effect the Ships and Goods by him seised or informed against, the Persons managing the Customs, or Officers of the Customs, or others deputed by them, or authorized by the Lord-Treasurer, or Under-Treasurer, may make seizure, or inform against such Goods, or bring his Act on by *Devenerunt*, and shall have the benefit of Informers or Seisers.

LXII. No Informer or Seiser shall compound under one third of the appraised value, upon loss of his Office.

LXIII. If any employed about the Customs and Subsidies take any Bribe, or connive at any false Entry, they shall forfeit an 100*l.* and be incapable of any Employment under

der the King, and the Person giving such Bribe, shall forfeit 50*l*.

LXIV. Persons offending, as aforesaid, that shall reveal their Offence in two Months time to the Treasurer of *England*, the Chancellor, Under-Treasurer, or Barons of the Exchequer, shall be discharged.

LXV. Foreign Goods permitted to be Landed by Bills at sight, &c. shall be Landed where the Managers of the Customs, Customer, Collector or Controller shall appoint, and there or in the Kings Store-house at their Election shall be measured, weighed, and numbered by and in the presence of the Officers to be thereto particularly appointed: who shall perfect the Entry, and subscribe their Names, and the next day give an Account to them that manage the Customs, the Customer or Collector and Controller, without cause to be allowed by them, or shall forfeit an 100*l*.

LXVI. No Vessel imployed for the carriage of Letters and Pacquets, unless in cases to be allowed by the Officers of the Customs, shall Export or Import any Goods, on pain of an 100*l*. to be paid by the Master, with the loss of his Place, and all Goods found Aboard such Vessel shall be lost.

LXVII. No Wines, other than Rhenish, no Spicery, Gro-cery, Tobacco, Pot-Ashes, Pitch, Tar, Salt, Rozen, Deal-Boards, Fir-Timber, or Olive Oyl, shall be Imported from the *Netherlands* or *Germany*, on pain to lose the said Goods, and the Ship and Furniture.

LXVIII. Any Vessel upon which the Imposition of 5*s*. per Ton is payable by the Stat. of 12 *Car. 2. cap. 18.* which shall put on Shoar, or into any Boat, Goods or Passengers, without paying Custom and Tonnage, returning into *England* or *Ire-land*, shall pay what was formerly due, and forfeit 10*l*. And Pilots, Water-men, &c. bringing Goods from on Board such Vessel, shall pay the Duty of Tonnage which the Vessel should have paid, and forfeit 40*l*.

LXIX. Vinegar, Perry, Rape, Cyder, and Cyder-eager, shall pay 4*l*. 10*s*. per Ton, Imported by *English*, and 6*l*. Imported by Strangers, to be Levied as by the Act of Tonnage and Pound-age. And in case of Exportation there shall be allowed to the *English* Exporter 3*l*. 10*s*. and to the Alien 4*l*. 15*s*. per Ton, ac-cording to the Book of Rates.

LXX. Logwood may be Imported and used in Dying, not-withstanding any former Statute, paying for every Ton Import-ed 5*l*. in such manner, and under such Penalties, as are provi-ded in the Act of Tonnage and Poundage. 4*l*. per Ton shall be repaid to the Exporter.

LXXI. All Suits, &c. upon the Act for encouraging Shipping and Navigation may be prosecuted in the Exchequer. In Suit upon

upon the Act of Tonnage and Poundage and the said Act, or any other Act concerning Importation of Goods, and if the Property be claimed by any as Importer, the *Onus probandi* shall lie upon such Owner or Claimer.

LXXII. If the Seizure or Suit be upon the Stat. of 12 Car. 2. cap. 18. the Defendant may have a Commission out of Chancery to examine Witnesses beyond Sea, which shall be Evidence at Law.

LXXIII. No Writ of Delivery shall be granted out of the Exchequer for Goods seized, but upon good Security, and that for Goods perishable only, or where the Informer shall delay the Trial.

LXXIV. One moiety of all the Forfeitures by this Act shall be to the King, the other to the Informer.

LXXV. Officers belonging to the Admiralty, Commanders of Ships, Castles and Block-houses, and all the Kings Officers and Subjects, shall be assisting to the Officers of the Customs and their Deputies, in the execution of this Act.

LXXVI. None shall be employed about the Customs till they have taken an Oath for the faithful execution of their Employments: and the Commissioners and principal Officers in the Port of London, and the principal Officers in other Ports, or two of them, may Administer such Oath, and cause it to be Registered in the respective Custom-houses.

LXXVII. If any Person employed in the Customs demand or take greater Sums than are due by Law, or put any Merchant or other out of his Turn, without Order before, or Approbation after, from the Persons appointed to manage the Customs, or the superior Officers for the same, or illegally detain the Goods of any, or neglect to make Repayments and Allowances, or after notice do not give out or execute his Warrant, he shall be liable to double Costs and Damages.

LXXVIII. Persons Exporting Goods out of any Port capable of a Vessel of 200 Ton, to any Place of the *Mediterranean* Sea beyond *Malaga*, or Importing Goods from those Places, in a Vessel not having two Decks, and carrying less than 16 Pieces of Ordnance, with two Men for each Gun, and other Ammunition proportionable, shall pay for the Wares so Exported or Imported 1 *per Cent.* besides Tonnage and Poundage, except where one Moiety of the Lading Exported is Fish only, in which case any Wares may be Imported for that Voyage, paying the Duties heretofore accustomed.

LXXIX. Salt brought out of Scotland shall pay one half-penny *per Gallon*, *Winchester* Measure, at the Landing thereof.

LXXX. Stat. 1 Jac. 2. cap. 1. The last mentioned Act Continued during the Life of King James the Second. Continued per Stat. 2 W. & M. cap. 4. Continued per Stat. 6 W. & M. cap. 1. §. 3. Continued per Stat. 8 & 9 W. 3. till 1 Aug. 1706. Continued per 1 Anna cap. 13. till 1 Aug. 1710. Continued per 5 Anna cap. 27. until 1 Aug. 1712.

LXXXI. Stat. 1 Jac. 2. cap. 3. Granted to his Majesty towards a Supply for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and other his Majesties Occasions, for all French, Spanish, and other Wines, and for Vinegar, which shall be Imported after the Twenty fourth day of June, 1685. and before the Twenty fourth day of June, 1693. these further Rates and Duties, viz. for every Tun of French Wine and of Vinegar 8 l. and for every Tun of Spanish or other Wines 12 l. and after those Rates for greater or lesser Quantities.

LXXXII. Importers shall, upon the Entry made of such Liquors, and before Landing, pay the said Duties, deducting the Allowance after mentioned, or become bound with two or more Sureties to his Majesty, or procure three other Persons to become so bound, to pay the whole Duties by three equal Payments; the first Payment to be within Three months of the date of the said Obligation, the second within Six months, and the third within Nine months. The taking of which Bonds and Approbation of the Sureties, left to the discretion of the Farmers or other Commissioners of the Customs, or their Deputy-Collectors, or such Persons as his Majesty shall appoint to Collect the Duties arising by this Act.

LXXXIII. There shall be allowed after the Rate of 10 per Cent. for a year, for present payment.

LXXXIV. If any of the said Liquors shall be Landed without present payment, where this Act requires it, or without Security, where this Act admits thereof; the Liquors so Landed, of the value thereof, shall be Forfeited, one moiety to the King, the other to the Informer. And yet the Importers shall pay the Duties which by this Act are payable.

LXXXV. No Importer shall be chargeable to pay the Duty hereby required, for any greater proportion of the said Liquors, duly entred, than what shall remain Neat after such Allowances, as are directed to be made upon Importation of Wines, &c. by the Act for Tonnage and Poundage, and the Rules for Collecting the Duties arising thereby. Vintners and Retailers Importing, shall pay ready Money for the whole Duty. All other Importers, making Oath that the said Liquors are Imported by way of Merchandize, and with intent to sell again, shall be allowed the further abatement of 8 l. per Cent. and no more. No Merchant shall be charged with the said Duty for Prifage-Wine: but he that

enjoyeth the benefit of the said Prifage-Wine, shall pay the same.

LXXXVI. If any of the said Imported Liquors shall be again Exported, the Person Exporting shall receive back no part of the Duties of this Act, nor shall the Security given for the same be discharged by reason of such Exportation.

LXXXVII. The Officers of the Customs, or such Persons as the King shall appoint to Collect the Duties of this Act, shall have power to do all things to secure the payment thereof, which any Officers may do touching securing the Customs of Tunnage and Poundage. And all the said Liquors to be Imported within the time aforesaid, and Landed without doing what by this Act is required; and all Officers of the Customs, and all Importers of the said Liquors, and all employed in the Collection of the Duties of this Act, being found guilty of any Act or Neglect tending to defraud the King of the Duties hereby imposed, shall be liable to the same Seisures, Penalties and Forfeitures which by former Acts may be inflicted in such cases.

LXXXVIII. If any Liquors seiz'd for any Offence against this Act, shall be claimed by any Person as the Importer thereof, the proof whether the Duties be paid or secured, shall lie upon such Claimer. *Continued per Stat. 2 W. & M. cap. 5. Sess. 2. Continued per Stat. 4 & 5 W. & M. Sess. 4. cap. 15. §. 2. Continued per Stat. 7 & 8 W. 3. Continued per Stat. 8 & 9 W. 3. till 1 Aug. 1706. Continued per 1 Annæ cap. 13. till 1 Aug. 1710. Continued per 5 Annæ cap. 27. till 1 Aug. 1712.*

LXXXIX. Stat. 1 Jac. 2. cap. 4. Granted for a further Supply for the Repairs of the Navy, and providing Stores for the Navy and Ordnance, and payment of the Debt due to the late Kings Servants, and other the Kings Occasions, upon all Tobacco and Sugar, which shall be Imported after the Twenty fourth of June, 1685, and before the Twenty fourth of June, 1693. the further Duties herein after mentioned; viz. For Tobacco of the Growth of any of his Majesties Plantations, &c. in America 3 d. a Pound, above what it now pays; For Foreign Tobacco, 6 d. a Pound; For *Muscovade* Sugar of the said Plantations, &c. one Farthing the Pound; For Sugar of the *English* Plantations made fit for common use, three Farthings the Pound; For *Muscovade* Sugar of Foreign Parts, one half penny the Pound; For all *Panicle* Sugar, one half-penny the Pound; And for Foreign White Powder Sugar, one penny farthing. All the said Duties to be Levied on the Consumptioner in manner following; viz. If the Importer be a Retailer, he shall pay the said Duties before he carry away his Goods from the Custom-house, or other Place where they are brought on shore.

XC. Every Importer, not being a Retailer, after Entry of his Goods, shall, by Bill under his hand, or under the hand of such Person, for whom he shall engage to be answerable, before he have a Warrant to receive his Goods, become bound to the King with one or more Sureties, or procure two others to be bound, to the value of the Duty, with Condition not to deliver the said Goods to the Buyer, or into the Custody of any Retailer, till the Duty of this Act be first paid, or in case he do not Sell or Export the same within Eighteen months, that he will pay the Duty. Every Importer of the said Commodities, shall upon Sale of any part thereof, certify the Quantity, Quality, and Weight thereof, with the Buyers Name, who delivering the same to the next Office for Collecting this Duty, shall then pay the said Duties, and have a Receipt from the Officer, and a Certificate to be left with the Importer of the payment thereof. The Merchant, before his Receipt of such Certificate not to deliver his Goods, nor the Buyer to receive them, on pain to Forfeit double the Duties of this Act, or the value of the Goods so delivered: both Importer and Receiver to be liable to this Forfeiture.

XCI. A Barter, Truck or Exchange shall be deemed a Sale.

XCII. Where the first Buyer or Receiver in Barter, &c. does buy or receive the said Goods to Export them, the Importer shall certify their Quantity, Quality, and Weight, with the Buyers or Barterers Name, who delivering such Certificate at the next Office for Collecting this Duty, shall enter Bond with Sureties, and penalty of double Duties, to Export the same within four Months, and receive a Certificate of such Bond entered, which he shall deliver to the Importer, and by virtue thereof receive the Goods. Such Certificate shall discharge the Importers Account for so much. Which Bond for Exportation shall be discharged upon the Searchers Certificate of the Shipping of the Goods, and the Merchants Oath that they have not again been reloaded in *England*, &c. for which Oath and Certificate no Fee is to be taken.

XCIII. The Collectors of this Duty shall once every three Months, or oftner, balance and adjust the Merchants Import-Accounts, by requiring them to deliver an Account of all the Goods liable to this Duty then remaining in their hands. And if any Importer shall upon notice given him, or Notice or Summons left at his Habitation, neglect to give in such Account for Fourteen days, he shall be liable to the full Duty, where-with he shall stand charged in his Import-Account, and pay the same within Fourteen days after; or in default thereof, shall Forfeit double the value of the Duties of such Goods as shall remain on his Import-Account, and be incapable of taking up any Goods liable to this Duty without present payment. But if

such Importer give in such Account within Fourteen days, the Collectors of this Duty may appoint Officers to search the Warehouses, &c. of such Importer, and try whether his remainder agree with his Account; and such Officers Report shall be reputed the true Remainder. And then such Importer making Oath, That the Goods viewed by the Officer, and all other Goods Shipt out by him or others, by which his Account is discharged, were all and every part of such Goods as he had formerly Imported and Entred, and that the Goods found remaining, had not been altered in their Property since their Importation, the Collectors shall adjust the said Importers Accounts accordingly. But if any Importer shall not permit such Officer to make search, and take an Account, as aforesaid, he shall Forfeit for every such refusal 100 l. or if permitting Entrance and Search, he shall refuse to make Oath, as aforesaid, then all such Goods shall be reputed as the Goods of some other, and not reckoned in discharge of such Importers Account; and if such Importer make Oath, and yet neglect for Fourteen days after to pay the Duties by this Act due thereupon, such Importers Bond given upon Entry of those Goods, which he found wanting, shall be returned into the Exchequer; and he shall not afterwards be permitted to Land his Goods without present Payment of the Duties of this Act.

XCIV. Yet it is hereby declared, That the Importers Accounts shall be discharged by Exportations, upon Certificate and Oath, as aforesaid.

XCV. Provided, That every Importer dealing in the said Commodities by Retail, shall upon Exportation, within Eighteen months after, be repaid the Duties so by him paid.

XCVI. No Importer shall be charged for any greater proportion of Goods than what shall remain neat after such Allowance, as is directed by the Act of Tonnage and Poundage, and the Instructions for Collecting the Duties arising thereby.

XCVII. For Damages before Sale or Exportation, the Collectors of this Duty may make such further Allowance as they shall think fit, so they allow not above 8l. per Cent. in the whole, for all Causes whatsoever.

XCVIII. Importers not clearing their Import-Accounts, either by Sales or Exportation, within Eighteen months from the time of the Importation, shall be charged with the Duty imposed by this Act, as if the Goods had been sold; but Allowance shall be made for Waste and Decay, as aforesaid.

XCIX. The King may authorize Commissioners, Collectors, or other Officers, to Levy the said Duties in every Port, who shall attend at the usual hours and times in which the Officers of the Customs ought to attend.

C. Goods liable to the Duties imposed by this Act, shall be Entred in the true Importers Names, on pain of Forfeiture of double Duties; and no such Goods shall, during the continuance of this Act, be Landed, or put off from Land into any Vessel, but only at such times and places as they ought to be Unshipt or Shipt, &c. by virtue of the several Laws made for the payment of Customs and collecting them, and preventing Frauds and regulating Abuses in the Customs; and all the Clauses, Penalties and Forfeitures mentioned in the said Acts, shall be in force touching the Goods mentioned in this Act, and the Duties imposed thereon; and the Commissioners appointed, as aforesaid, for the Collecting this Duty, are hereby empowered with all the Powers and Authorities the Commissioners, &c. of the Custom-house have by virtue of the aforesaid Laws. The Penalties and Forfeitures incurred by virtue of this Act, shall be recovered by Action of Debt, Bill, Plaint, or Information in any of the Courts of Record at *Westminster*; one moiety to the King, the other moiety to the Prosecutor. No Essoign, Protection or Wager of Law to be allowed, and but one Imparance; but no Person shall Sue for the same, but such Officers as shall be appointed to collect the said Duties. All Officers, Deputies, and others having any Employment in the Collection of this Duty, shall, before they enter upon their Offices, take an Oath for the due execution thereof, to the best of their Knowledge, before the Commissioners or Chief Managers of the Customs or this Duty; or before the Customer or Controller in any Out-Port. If any Seisure or Information be made or brought by Officers or Persons imployed in the Customs or the Duties of this Act, the *onus probandi* or proof whether the Duties be paid or secured, shall lie upon the Claimer or Defendant. Continued per Stat. 2 W. 8. & M. Sess. 2. cap. 5. as to Tobacco. Continued per Stat. 4 & 5 W. 8. & M. Sess. 4. cap. 15. §. 3. Continued per Stat. 7 & 8 W. 3. Continued per Stat. 8 & 9 W. 3. till 1 Aug. 1701. Continued per 1 Annæ cap. 13. till 1 Aug. 1710. Continued per 5 Annæ cap. 27. till 1 Aug. 1712.

Cl. Stat. 1 Jac. 2. cap. 5. There shall be paid to the King for all French Linen, which shall be Imported after the First of July, 1685. and before the First of July, 1690. double the Duties they stand charged with in the Book of Rates, And for Callicoes, and other Indian Linen, Imported within the said time, 10 l. for every Hundred Pounds value thereof; the like value for Wrought Silks, or other Manufactures of India, mixed with Herba, or Silk and Thread, or Cotton, Imported within the time aforesaid; the like value for all Wrought Silks and other Stuffs Manufactured in France or Avignon, Imported within the time aforesaid; for other Wrought Silks Imported within the said time, 7 l. for every Hundred; for Single Brandy Imported

Imported within the said time, 8 *d.* *per* Gallon, above the Duties of Excise and Custom already payable for the same; and for Strong-Water or Brandy above Proof, commonly called Double Brandy, Imported within the same time, 2 *s.* *per* Gallon above the Duties of Excise and Custom now payable; and for Strong-Waters, *Aqua-vita*, or Spirits of the second Extraction, made here for Sale, to be paid by the Maker 4 *d.* above what is now due and payable; the said Duties to be raised in such Manner, and by such Rules, and under such Penalties as are mentioned in the Act of Tonnage and Poundage, and the Rules and Orders thereunto annexed; for Single Brandy, &c. in such Manner, and by such Rules, and under such Penalties as are mentioned in the Act of 12 *Car.* 2. *cap.* 23. & 15 *Car.* 2. *cap.* 11.

CII. If any Distiller or Maker of Low Wines, Spirits or Strong-Waters, shall conceal or convey the same from the view of the Gaugers, such Distiller or Maker, for every Gallon so concealed or conveyed, shall Forfeit 5 *s.* to be recovered and levied as by the last mentioned Acts is appointed; the one moiety to the King, the other to the Discoverer or Informer.

CIII. No Brandies shall be Imported in any Cask, not containing 60 Gallons, on pain to Forfeit the same, or the value thereof, one half to the King, the other to the Informer.

CIV. Officers concerned in Collecting the Duties of this Act, shall keep a separate Account thereof, and pay them in *specie* into the Exchequer Weekly; and upon neglect thereof, shall incur the Penalties, &c. as other Officers of the Exchequer after-mentioned, shall be liable to; which Money so paid, shall be liable to the Uses hereafter mentioned.

CV. Whoso shall lend to the King any Monies, not exceeding 400000 *l.* on the Credit of this Act, shall have a Talley for the same, and an Order for repayment, bearing date with the Talley; in which Order shall be contained a Warrant for payment of Interest, not exceeding 8 *l.* *per Cent.* to be paid every three Months, till payment of the Principal.

CVI. Orders for repayment of Money Lent, shall be Registered in course, and all Persons paid in course, be it Orders for payment directed by his Majesty, or of Monies Lent, as aforesaid.

CVII. If any undue Preference be made contrary to the meaning of this Act, the Party offending shall be liable by Action of Debt, or on the Case, to pay the Debt, Damages and Costs to the Party grieved, and shall be fore-judged from his Office.

CVIII. If such Preference be unduly made by any Deputy or Clerk, without his Masters Privy, the Deputy, &c. shall only be liable, and incapable of his Place.

CIX. If

CIX. If the Auditor shall not direct the Order, and the Clerk of the Pells Record, and the Teller make Payment according to each Persons due Place and Order, they and their respective Deputies and Clerks shall be liable, as aforesaid.

CX. If several Tallies, or Orders for Payment bear date or be brought to the Auditor on the same Day, it shall be no undue Preference which he Enters first, so he Enter all the same Day.

CXI. Nor shall it be any undue Preference to pay subsequent Orders brought in course, so as there be Money reserved to pay former Orders. Interest for Loan to cease from the time the Money is kept in Bank for them.

CXII. All Persons to whom Money shall be due by virtue of this Act, after Order Entred for payment thereof, may transfer their Interest in such Order to any other, which being notified in the Office of the Auditor of the Receipt, and an Entry made thereof (which shall be made without Fee) shall Entitle the Assignee to the benefit thereof.

CXIII. Such Persons as shall become bound to the King for the Purposes mentioned in the Act next beforegoing, (Sec. XC.) shall be bound in double the Value of the Duties imposed by the said Act.

Customs and Usages.

I. Stat. 31 H. 8. 3. The Manors, &c. of Thomas Lord Cromwel and others; within the County of Kent, being Gavellingkind Land, shall hereafter descend as Lands at the Common Law.

Custos Rotulorum.

I. Stat. 37 H. 8. 1. None shall be *Custos Rotulorum* but such as shall have a Bill Signed by the Kings Hand for the same, which shall be Warrant for the Lord Chancellor to put and continue him in the Commission to be *Custos Rotulorum* until the King shall appoint another.

II. The *Custos Rotulorum* may execute that Office by a Deputy Learned in the Laws, and able to supply that Place.

III. The *Custos Rotulorum* shall have power to appoint the Clerk of the Peace, who may also execute it by a sufficient Deputy, approved by the *Custos Rotulorum*.

IV. This Act shall not inhibit the Archbishop of York, the Bishop of Durham, the Bishop of Ely, and all others having lawful power (by the Grant of the King or his Progenitors) to make a *Custos Rotulorum* within their several Jurisdictions, to use the same liberty which they had before.

V. Stat. 3, 4 E. 6. 1. The Lord Chancellor or Keeper shall appoint the *Custos Rotulorum* in every County of England, Wales, and other the Kings Dominions, who may execute his Office by himself, or by his Deputy. Howbeit the power of others is saved, who have power to name the *Custos Rotulorum*.

Days in Bank.

I. Stat. **D**E Anno Bissextili, 21 H. 3. The Day increasing in the Leap-year, and the Day next going before, shall be accounted for one Day. And this was done to avoid the doubt of the Year and Day that were wont to be Assigned to Sick Persons, being impleaded, to the end they might know (when the Leap-year happened) how to reckon their Year and Day.

II. Stat. 51 H. 3.

Utas Sancti Mich.

Quinzimo Mich.

Tres Mich.

Craftino Anim.

Craftino Mart.

Utas Martini.

Quinzimo Mart.

Utas Hilarit.

Quindena Hilarit.

Craftino Purific.

Utas Purific.

Quindena Pascha.

Tres Pascha.

Mense Pascha.

Quingue Pascha, or

Craft. Ascens.

Utas Trin.

Quin Tr. or Cr. S. J. B.

Utas S. Job. Bapt.

Quindena S. Job. B.

Utas Sancti Hil.

Quinzimo Hil.

Craftin Purific.

Quinzimo Pascha.

Tres Pascha.

Mense Pascha.

Quingue Pascha.

Utas Trin.

Quindena Trin. and some-
times in Craft. S. Job. B.

Craft. & Utas S. Job. B.

Quindena S. Job. B.

Utas Mich.

Quindena Mich.

Tres Mich.

Mense Mich.

Craft. Anim.

Craft. Mart.

Utas Mart.

Quindena Mart.

Day shall be given thereupon unto the

If a Writ come in

And so every Term shall answer to other.

III. Stat. 51 H. 3. Concerning general Days in a Writ of Dower.

If

If the Writ come in

Octabis Mich.
 Quindena Mich.
 Tres Mich.
 Mense Mich.
 Crastino Anim.
 Crastino Mart.
 Octabis Mart.
 Quindena Mart.
 Octabis Hil.
 Quindena Hil.
 Crastino Purific.
 Octabis Purific.
 Quindena Pascha,
 Tres Pascha,
 Mense Pascha,
 Quinguo Pascha,
 Crastino Ascensc.
 Octabis Trin.
 Quindena Trin.
 Crastino Johannis,
 Octabis Johannis,
 Quindena Johannis,

Day shall be given until

Crastino Animarum.
 Crast. Martini.
 Octabis Martini.
 Quindena Martini.
 Octabis Hilarii.
 Quindena Hilarii.
 Crastino Purific.
 Octabis Purific.
 Quindena Pascha.
 Tres Pascha.
 Mense Pascha.
 Crastino Ascensc.
 Octabis Trin.
 Quindena Trin.
 Crast. Job. Bapt.
 Octabis Job. Bapt.
 Quindena Johannis.
 Octabis Mich.
 Quindena Mich.
 Tres Mich.
 Mense Mich.
 Crastino Anim.

IV. *Marlb. 12. 52 H. 3.* In Dower (*unde nihil habet*) four Days shall be given in the Year, and more if conveniently may be; so that they shall have five or six Days (at least) in the Year.

V. In Assises of *Darrein Presentment*, and a Plea of *Quare* impedit, Days shall be given from 15 to 15, or from three Weeks to three Weeks, according to the distance of the Place.

VI. In a *Quare Impedit*, if the Disturber come not in upon Summons, nor cast an Essoign, he shall be Attached at another Day; when if he come not, nor cast an Essoign, the great Distress shall issue against him; when if he come not, a Writ shall be sent to the Bishop, that the Disturber claim not for that time to the prejudice of the Plaintiff, saving unto him his Right at another time.

VII. The same Law shall be observed for Attachment as for Distresses, so that the second Attachment shall be made by better Pledges, and after the last Distress.

VIII. *Stat. 32 H. 8. 21.* There shall be only four Days of Return in *Trinity Term*, viz. *Crast. Trin. Octab. Trin. Quindena Trin. and Tres Trin.*

IX. This Term shall hereafter begin upon the *Munday* after *Trinity Sunday* for keeping of Essoigns, Profers, Returns, and other Ceremonies formerly used; and the Term shall begin the *Friday* after *Corpus Christi* day, being always the *Friday* next ensuing.

X. If

X. If a Writ
in any real Action
come in and be
returnable.

Ostabis Hil.
Quindena Hil.
Craftino Purific.
Ostabis Purific.
Craft. Trin.
Ostab. Trin.
Quindena Trin.
Tres Trin.

Day shall be given in

Craft. Trin.
Ostab. Trin.
Quindena Trin.
Tres Trin.
Craft. Anim.
Craft. Martini.
Ostabis Martini.
Quindena Martini.

XI. If any Writ
of Dower come
in and be return-
able.

Quindena Pascha,
Tres Pascha,
Mense Pascha,
Quinguo Pascha, or
Craft. Ascens.
Craftino Trin.
Ostabis Trin.
Quindena Trin.
Tres Trin.

Day shall be given

Craft. Trin.
Ostab. Trin.
Quindena Trin.
Tres Trin.
Ostab. Mich.
Quindena Mich.
Tres Mich.
Mense Mich.

XII. All common Writs and Processess (as well personal as mixt) shall keep the said Returns of *Trinity Term* ordained by this Act.

XIII. This Act shall not prohibit the Justices of the Kings Courts of Record to Assign special days of Return, in such Cases and Processess as have used to have special Days assigned.

XIV. The said Statute of *Marlbridge* 12. and also 5 E. 3. (which see in Attaint) being not contrariant to this Act, shall remain firm, notwithstanding this Act.

XV. Stat. 16, 17 Car. 1. 6. There shall be only six Days of Return in *Michaelmas Term*, viz. *Tres Michael.* *Mense Michael.* *Craft. Anim.* *Craft. Mart.* *Ostabis Mart.* and *Quindena Mart.*

XVI. *Michaelmas Term* shall hereafter begin at *Tres Mich.* for the keeping of *Essoins*, *Profers*, *Returns*, and other Ceremonies heretofore used, and the full Term shall be four Days after. Howbeit, if the beginning of the Term or the said fourth Day happen to be *Sunday*, then the next Day is to be kept for it.

XVII. If

XVII. If any Writ in any real Action (other than Writs of Entry for common Recoveries, Writs of Right and Advowson, and Writs of Dower, *unde nihil habet*, hereafter mentioned) come in and be returnable.

Tres Mich.
Mense Mich.
Crastino Anim.
Crastino Mart.
Octabis Mart.
Quindena Mart.
Octabis Hil.
Quindena Hil.
Crastino Purific.
Octabis Purific.
Quindena Pascha.
Tres Pascha.
Mense Pascha.
Quinque Pascha.
Crastino Ascens.
Crastino Trin.
Octabis Trin.
Quindena Trin.
Tres Trin.

Then Day shall be given

Crastino Purific.
Octabis Purific.
Quindena Pascha.
Tres Pascha.
Mense Pascha.
Quinque Pascha.
Crastino Ascens.
Crastino Trin.
Octabis Trin.
Quindena Trin.
Tres Trin.
Tres Mich.
Mense Mich.
Crastino Anim.
Crast. Martini.
Octabis Martini.
Quindena Mart.
Octabis Hilarii.
Quindena Hilarii.

XVIII. Provided, that in Writs of Dower (*unde nihil habet*) after Issue joyned, 15 Days betwixt the *Teste* and the Term shall suffice, as is used in personal Actions.

XIX. *Crastino Ascens.* shall be a good Return, notwithstanding there be not 15 Days between the *quarto die* of that Return, and the Effoin-day of the Return of *Crast. Trin.* Also the Return of *Tres Mich.* to *Crast. Anim.* shall be a good Return, albeit there be not 15 Days between the *quarto die* of *Tres Mich.* and the Effoin-days of *Crast. Anim.*

XX. All Writs of Summons *ad warrantizandum* against Vouches upon common Recoveries had in Writs of Entry upon the appearance of the Tenant, and all Writs of Right of Advowson, shall be abridged to five Returns, as Writs of Summons *ad warrantizandum* in Writs of Dower have been heretofore used.

XXI. This Act shall not prohibit the Justices of the Kings Courts of Record to assign special Days of Return in such Cases and Processes as have used to have special Days assigned.

XXII. The Days in Assise of *Darrein Presentment*, and in Plea of *Quare impedit*, limited by the said Statute of *Marlebridge*, and also the Days given in Attaint, limited by 5 E. 3. 8. and 23 H. 8. 3. (*which see in Attaint*) being not contrary to the Tenour of this Act, shall be held firm, notwithstanding this Act.

Damages.

Damages and Costs;

I. Gloucester, 1. 6 E. 1. Damages are given in Assises of *Novel disseisin* as well against the Alience of the Disseisor, as against the Disseisor himself; so that every one shall answer for his time.

II. The Disseisees shall recover Damages in a Writ of *Entry* upon *Novel Disseisin* against him that is found Tenant after the Disseisor.

III. Damages shall be awarded in all Cases, where one recovereth in an Assise of *Mortdancer*: and also in Writs of *Cousinage*, *Ayel* and *Besayel*.

IV. The Demandant may recover against the Tenant the Costs of his Writ, together with the Damages aforesaid: and this Act shall hold place in all cases where the Party is to recover Damages.

V. Gloucester, 14. 6 E. 2. Disseisees in *London* shall have Damages by Recognisance of the same Assise whereby they recovered their Lands, and the Disseisors shall be Amerced before two Barons of the Exchequer, which shall resort once a year into the Cities to do it; and the Barons and Treasurer shall cause it every year to be Levied by two of them at their rising after *Candlemas*. And the Amerciements shall be Levied by Summons of the Exchequer to the Kings use.

VI. Exposition of Gloucester, 6 E. 1. Where any have entered by a Disseisor, the Damages shall run from the time of the Statute published.

VII. In Writs of *Entry sur Disseisin*, *Mortdancer*, *Cousinage*, *Ayel* and *Besayel*, and touching Intrusion, or of ones own act, by any manner of Writ, the Damages shall run, after the Writ purchased, against them that hold since the Statute, albeit their Ancestors died seised thereof.

VIII. Stat. 3 H. 7. 10. Where any Person bound by a Judgment shall Sue (before Execution had) a Writ of Error to reverse it, if the Judgment be affirmed, the Writ discontinued, or the Party that Sueth it be Non-suit, the Party against whom the Writ is brought shall recover his Costs and Damages at the discretion of the Justices before whom the said Writ is Sued.

IX. Stat. 19 H. 7. 20. The Statute of 3 H. 7. 10. is confirmed, and shall be duly put in execution.

X. Stat. 23 H. 8. 15. If the Plaintiff be Non-suit or overthrown by lawful Trial in any Action, Bill or Plaint, for Trespas upon the Statute of 5 R. 2. 7. (*which see in Forcible Entry*, 1.) or for any Debt or Covenant upon Specialty or Contract, or for *Detinue*, Account upon the Case, or upon any Statute, the Defendant shall in such Case have his Costs,

to be Assessed by the Judge or Judges of the Court, and to be Recovered as the Plaintiff might have recovered his, in case Judgment had been given for him.

XI. Here, he that Sues in *forma pauperis* shall (not pay Costs, but) suffer such punishment as the Justices or Judge of the Court shall think fit.

XII. Stat. 24 H. 8. 8. There shall be no Costs awarded to the Defendant, when any Action is Sued to the Kings use.

XIII. Stat. 43 Eliz. 6. In personal Actions in the Courts at *Westminster*, (being not for Land or Battery) when it shall appear to the Judges (and so by them signified) that the Debt or Damages to be recovered amount not to the Sum of 40s. or above, the said Judges shall award to the Plaintiff no more Costs than Damages, but less, at their discretion.

XIV. Stat. 4 Jac. 1. 3. If the Demandant or Plaintiff be Non-suit or Overthrown by lawful Trial in any Action whatsoever, the Tenant or Defendant shall have Costs, to be Assessed and Levied, as Costs are to be Assessed and Levied by the Statute of 23 H. 8. 15.

XV. Stat. 21 Jac. 1. 16. In Actions of Slander, if the Jury find or Assess the Damages under 40s. the Plaintiff shall recover no more Costs than Damages.

XVI. 13 Car. 2. Stat. 2. cap. 2. If any prosecute a Writ of Error, for the reversal of any Judgment after Verdict, in any of the Courts at *Westminster*, or in the Counties Palatine of *Chester*, *Lancaster* or *Durham*, or in the Courts of great Sessions in any of the 12 Shires of *Wales*, and the Judgment be affirmed, they shall pay double Costs: Popular Actions and Actions upon Penal Laws (except Debt for Tithes) and Indictments, Informations, Appeals, &c. are excepted.

XVII. Stat. 22 & 23 Car. 2. cap. 9. In all Actions of Trespass, Assault and Battery, and other personal Actions, wherein the Judge shall not certifie upon the Back of the Record, that a Battery was proved, or the Free-hold or Title of the Land chiefly in Question, the Plaintiff, if the Jury find the Damages under 40s. shall recover no more Costs than Damages; and if more Costs are awarded, the Judgment shall be void, and the Defendant may have an Action of Trespass against the Plaintiff for such Vexatious Suit, in any Court of Record, and shall recover his Damages and Costs.

Damage Cleer.

I. Stat. 17 Car. 2. cap. 6. No Damage Cleer shall be taken after the 29th of September, 1672. And if any Officer in any of the Kings Courts take or exact any Money in the name of *Damna Clericorum*, or any thing in lieu thereof, he shall forfeit treble the value, to be recovered in any of the said Courts by the Party grieved.

Darrein Presentment.

I. Magna Charta, 13. 9 H. 3. Assises of *Darrein Presentment* shall be taken before the Justices of the Bench, and there shall be determined.

Debt.

I. West. 2. 3 Ed. 1. c. 23. None shall restrain a Foreigner in any City, Borough, Town, Market or Fair, for any Debt wherefore he is not Debtor or Pledge, in pain to be grievously punished; and if he be, the Distress shall be re-delivered without delay by the Bailiff of the Place, or the Kings Bailiff, if need be.

II. Stat. 1 R. 2. 12. No Warden of the Fleet shall suffer any Prisoner (being in by Judgment) to go at large by Mainprise, Bail or Baston, without agreeing with the Party for the thing adjudged, (unless it be by Writ, or other Command of the King) in pain to lose his Office.

III. The Warden being Attainted thereof by due Process, the Plaintiffs shall have their recovery against him by Bill of Debt.

IV. If any Person, being judged to another Prison, shall (with purpose to be removed to the Fleet, and there to have more liberty) confess himself Debtor to the King, the said Recognisance shall be received; and if he be not Debtor to the King upon Record, he shall be remanded, and there remain until he hath agreed with the Party, and afterwards shall be sent to the Fleet, and there remain until the King be satisfied the Cognisance.

V. Stat. 2 R. 2. Parl. 2, 3. Where a Debtor makes a fraudulent Conveyance to Defraud the Creditor, if upon the *Capias* for the Debt the Sheriff return he hath not taken him, because of some privileged Place where he lies; the Sheriff shall have another Writ to make Proclamation once a Week five Weeks together, at the Gate of the Privileged Place, that the Party appear at the day comprised in the last Writ: and then, upon return of the said last Writ, that Proclamation is made accordingly, if the Party appear neither by himself, nor his Attorney, Judgment shall be given against him upon the Principal for his default, and also (the Collusion being proved) Execution had of all his Goods and Lands without the Place Privileged, as well those Demised as others.

VI. Stat. 3 Jac. 1. 15. Every Citizen and Freeman of London, and every other Person there inhabiting, being a Tradesman, Victualler or Labourer, which hath any Debt due

due to him; not amounting to 40 s. by any such Person aforesaid, may cause the Debtor to be Summoned to the Court of Requests at *Guildhall*, upon a Writing to be left at the Debtors House by an Officer of the same Court, or by some other reasonable Warning, to appear before the Commissioners there, who (or any three of them) shall have power to make Orders therein, to be Registered in a Book, and duly observed by both Parties.

VII. The Commissioners also (or any three or more of them) have power to administer Oaths, both to the Parties and Witnesses.

VIII. If any such Persons, as aforesaid, for any such Debt commence any Suit elsewhere against any other like Person, and that it appear to the Judge upon the Defendants own Oath, or other sufficient Testimony, that he is a Freeman, or Inhabitant of *London*, as aforesaid, and also that the Damages Sued for amount not to 40 s. the said Judge shall not allow to the Plaintiff any Costs of Suit at all, but shall award to the Defendant his reasonable Costs.

IX. None shall refuse to appear upon due Summons, or to obey the Commissioners Orders, in pain to be Imprisoned in one of the Compters of the said Officer, or any other of the Sergeants at Mace of the City, there to remain until their Orders be performed.

X. This Act shall not extend to any Debt for Rent, real Contracts, or concerning Testaments, Matrimony, or any thing belonging to the Ecclesiastical Court.

XI. Stat. 7 Jac. 1. 12. None keeping a Shop-Book, his Executors or Administrators, shall be allowed to give it in Evidence for Wares or Work above one year before the Action brought; unless they have obtained a Bond or Bill for the Debt, or brought an Action thereupon within one year after the Wares delivered, or Work done.

XII. This Act shall not hold place between Merchant and Merchant, Tradesmen and Tradesmen, or Merchant and Tradesman, for any thing falling within the compass of their mutual Trades and Merchandise.

Debt to the King.

I. Magna Charta, 8, 9 H. 3. The King nor his Bailiffs shall Levy any Debt upon Lands or Rents so long as the Debtor hath Goods and Chattels to satisfy: neither shall the Pledges be Distraigned so long as the Principal is sufficient; but if he fail, then shall the Pledges answer the Debt. Howbeit they shall have the Debtors Lands and Rents until they be satisfied, unless he can acquit himself against the Pledges.

II. Magna

Debt to the King.

II. Magna Charta, 18. 9 H. 3. The Kings Debtors dying, the King shall be served before the Executor.

III. Stat. 1. 19. 3 E. 1. The Sheriff having received the Kings Debt, upon his next Account shall discharge the Debtor thereof, in pain to forfeit three times so much to the Debtor, and to make Fine at the Kings will.

IV. The Sheriff or his Heirs shall answer all Monies that they whom he employs do receive; and if any other that is answerable to the Exchequer by his own Hands do so, he shall render thrice so much to the Plaintiff, and make Fine as before.

V. Upon payment of the Kings Debt, the Sheriff shall give a Talley to the Debtor, and the Process for Levying the same shall be shewed him upon demand without Fee, in pain to be grievously punished.

VI. Artic. super Chart. 12. 28 E. 1. Beasts of the Plough shall not be Distrained for the Kings Debt, so long as others may be found, upon such pain as is elsewhere ordained by Statute, (*viz.* by the Statute *De districtione Scaccarii*, 51 H. 3. which see in *Distress*.)

VII. The great Distresses shall not be taken for his Debts, nor driven too far; and if the Debtor can find convenient Surety, the Distress shall in the mean time be released: and he that doth otherwise, shall be grievously punished.

VIII. Stat. 13 Eliz. 4. All the Lands, Tenements and Hereditaments, which any Accountant of the Queen, her Heirs and Successors, hath while he remains accountable, shall, for the payment of the Debts of the Queen, her Heirs and Successors, be liable and put in execution, in like manner as if such Accountant had stood bound by Writing obligatory (having the effect of the Statute-staple) to her Majesty, her Heirs and Successors, for payment of the same.

IX. If this *super* be not paid within six Months after the Account past, the Queen, &c. may sell so much of his Estate as will answer the Debt, and the overplus of the Sale is to be rendered to the Accountant or his Heirs, by the Officer that receives the Purchase-money, without further Warrant.

X. If such an Accountant or Debtor purchase Lands in other names in trust for their use, that being found by Office or Inquisition, those Lands also shall be liable to satisfy the Debt, in such manner as before is expressed.

XI. Lands purchased by Accountants since the beginning of the Queens Reign, either in their own names, or in the names of others in trust for their use, shall be also liable to be sold for the Discharge of their Debts, as aforesaid, rendring the overplus to the Accountant, as before.

XII. Provided, that Bishops Lands shall be only chargeable for Subsidies or Tenths, as they were before the making of this Act, and not otherwise.

XIII. Neither

XIII. Neither shall this Act extend to charge any Accountant whose yearly Receipt exceeds not 300 *l.* otherwise than as he was lawfully chargeable before this Act.

XIV. Neither shall this Act extend to such Accountants as by order of their Offices, and charge immediately after their Accounts pass, are to lay out Money again; such as are the Treasurers of War, Garisons, Navy, Provision of Victuals, or for Fortifications or Buildings, and the Master of the Wardrobe; unless the Queen, &c. command present pay.

XV. Neither doth this Act extend to Sheriffs, Escheators, or Bailiffs of Liberties, concerning whose Accounts the course remains the same that it was before.

XVI. Lands bought of an Accountant *bona fide*, and without notice of any fraudulent intent in the Accountant, shall be discharged: And if they be found by Office, yet shall they upon Traverse be discharged without Livery, *Ouster le main*, or other Suit.

XVII. The Queen, &c. being satisfied by sale of Land, the Sureties shall be discharged for so much, and if any yet remain unpaid, the Sureties shall pay the residue ratably according to their abilities.

XVIII. Stat. 14 Eliz. 7. The Statute of 13 Eliz. 4. shall also extend to make the Lands, &c. and Goods of Under-Collectors substituted by Bishops, and (*Sede vacante*) by Dean and Chapter, to Collect the Tenths and Subsidies of the Clergy, liable to their Debts.

XIX. The said Under-Collectors shall Account in the Exchequer; and the Bishop, and Dean and Chapter (*Sede vacante*) shall be discharged of so much as is Levied of the Under-Collectors Lands, &c. and Goods.

XX. Stat. 27 Eliz. 3. The Queen, &c. may make sale of the Accountants Lands, &c. as well after his death as in his life-time; and as well where the Account is made, and the Debt known within eight years after his death, as where the Account is made, and the Debt known in his life-time.

XXI. Provided, That after the Accountants death, and before the Lands be sold, a *Scire facias* shall be awarded to Garnish the Heirs, to shew cause why Lands, &c. should not be sold, &c. whereupon if the Heir upon such Garnishment, or two *Nichils* returned, do not prove unto the Court that the Executors or Administrators of the Accountant have sufficient, then ten Months after such two *Nichils* or Garnishment returned, the Lands, &c. shall be sold, and disposed according to the Statute of 13 Eliz. 4.

XXII. Nevertheless, the Heirs sale *bona fide*, upon good consideration, before the *Scire facias* awarded, shall be good to him that is not consenting to defraud the Queen, &c.

XXIII. This Statute shall extend to all Officers of Receipts, and Accounts to her Majesty, and to no other.

XXIV. If the Debt grow in the Courts of the Dutchy, or Wards, a Privy Seal shall issue out against the Heir, to appear at a certain day, to shew cause, &c. when, if he appears not, upon Affidavit made that it was duly served, an Attachment, with Proclamation, shall issue out against him, to be proclaimed in some open Market in the County where he dwelt 20 days (at least) before the return thereof; whereupon if he appear not, the Lands, &c. shall be sold and disposed, as afore said.

XXV. The Heirs Lands shall not be sold during his Minority; but at any time within eight years after his full age they shall be liable as afore said.

XXVI. If the Accountant or Debtor had a *Quietus est* in his Life-time, that shall discharge the Heir of the Debt.

XXVII. Stat. 7 Jac. 1. cap. 15. No Debt shall be assigned to the King, &c. by any Debtor or Accountant, other than such Debts as did before grow due originally to the Kings Debtor or Accountant *bona fide*.

XXVIII. All Grants and Assignments of Debts to the King, &c. contrary to the true intent of this Act, shall be void.

Decies tantum.

* I. Stat. 38 E. 3. 12. If a Juror take any thing of either Party, to give his Verdict, and be Attainted thereof by Process contained in the Article of Jurors of the 34 E. 2. 8. (which see in Jurors) he shall pay ten times so much as he hath taken, to be divided betwixt the King and the Prosecutor: and all Embracers that procure such inquest shall incur the like Punishment.

II. If the Juror or Embracer have not whereof to make Gree, he shall suffer 2 years Imprisonment.

III. But no Justice or other Officer shall inquire of this Offence *ex Officio*.

Declaration.

I. Stat. 36 E. 3. 15. By the ancient Terms and Forms of Pleadings, no man shall be prejudiced, so that the matter of the Action be fully shewed in the declaration and in the Writ.

Deeds and Writings.

I. Stat. 1 M. Sess. 2. cap. 4. All Statutes, Recognisances and Writings made by or to any Person since the 6th of July last, and before August, under the name of any other than the Queen, shall be good.

II. This

II. This Act shall not extend to make good any Letters, Patents, Commissions, Grants or other Writings made by the Lady Jane Dudley since the said 6th of July last.

Demurrers.

I. Stat. 27 Eliz. 5. After Demurrer joyned and entered, the Judges shall proceed and give Judgment according to the right of the cause and matter in Law, without regard to any defect in the Proceeding, except such only as the Party shall express together with his Demurrer; after which time no Judgment shall be reversed by Writ of Error for any other defect than such as he shall there mention; and if there happen to be any other, the Judges may amend them.

II. This Act shall not extend to the proceeding in an Appeal of Felony or Murder, upon an Indictment, Presentment, or Penal Statute.

Dilapidations.

I. Stat. 13 Eliz. 10. If any Ecclesiastical Person, who are bound to repair the Buildings whereof they are seised in right of their Place or Function, suffer them to fall into decay for want of repair, and make fraudulent Gifts of their Personal Estate, with purpose to hinder their Successors from recovering Dilapidations against their Executors or Administrators; in such case the Successors shall have like remedy in the Ecclesiastical Court against the Grantee of such Personal Estate, as he might have had against the Executor or Administrator of the Predecessor.

II. Stat. 14 Eliz. 16. All Monies recovered for Dilapidations shall within two years be Employed upon the Buildings for which they were paid, in pain to forfeit to the Queen, &c. double so much as shall be so Employed.

Disceit.

* I. West. 1. 29. 3 E. 1. If any Person do act or consent to any thing in Disceit of the Court or Party, and thereof be Attainted, he shall suffer a year and a days Imprisonment at least; and if he be a Pleader, he shall be also expelled the Court, and if they shall deserve greater punishment, it shall be at the Kings pleasure.

II Officers, Criers of Fee, and Marshalls of Justices in Eyre, shall not take Money otherwise than they ought to do, in pain to pay the treble thereof to the Complainants.

III. Stat. 2 E. 3. 17. A Writ of Disceit shall be maintainable as well in case of Garnishment touching a Plea of Land, as in case of Summons in Plea of Land.

Discontinuance of Right of Estate.

I. Stat. 11 H. 7. 20. If a Woman that hath an Estate in Dower for life, or in Tail jointly with her Husband, or only to her self, or to her use, in any Lands, &c. of the Inheritance or Purchase of her Husband, or given to the Husband and Wife by the Husbands Ancestors, or any feised to the use of the Husband or his Ancestors, do sole, and with an after-taken Husband, discontinue or suffer a recovery by Covin, it shall be void; and he to whom the Land ought to belong after the death of the said Woman, may enter (as if the Woman were dead) without discontinuance or recovery.

II. Provided, That the Woman may enter after the Husbands death; but if the Woman were sole, the recovery or Discontinuance barreth her for ever.

III. This Act extends not to any recovery or discontinuance with the Heir next inheritable to the Woman, or by his consent of Record Enrolled.

Discontinuance of Process.

I. Stat. 11 H. 6. 6. No Suit before Justices of Peace shall be discontinued by a new Commission of Peace.

II. Stat. 1 E. 6. 7. The death of the King shall not discontinue any Suit betwixt Party and Party; neither shall the variance between the Original and Judicial Process in respect of the Kings Name be material as concerning any default to be alleged thereof.

III. Assises of *Novel disseisin*, *Mortdancestor*, *Juris utrum*, or Attaints, shall not be discontinued by reason of death, new Commissions, Associations, or the not coming of the same Justices, or any of them.

IV. Preferment of the Demandant for Plaintiff to be Duke, Archbishop, Marquess, Earl, Viscount, Baron, Bishop, Knight, Justice of the one Bench or the other, or Serjeant, shall not make the Suit abatable.

V. Preferment of Justice of Assise, Gaol-delivery, or Peace, or of any other Commissioner, to the Dignities aforesaid, or to be Sheriff, shall not lessen his power. *But note that to be Sheriff, is altered by 1 M. Parl. 1. 8 which see in Sheriffs.*

VI. New Justices of Gaol-delivery may give Judgment of a Prisoner found guilty of Treason or Felony, though he were reprieved by other Justices.

VII. No

VII. No Process or Suit before Justices of Assize, Goal-delivery, Oyer and Terminer, or Peace, or other of the Kings Commissioners, shall be discontinued by a new Commission, or by the Alterations of any of their Names.

VIII. Stat. 12 Car. 2 cap. 3. No Pleas, Writs, Plaints, Process, &c. Pleaded, returned, or having day in the Court at Westminster, at any the four first Returns of Easter Term 1660. or other day certain, shall be discontinued by not keeping the said Returns: but are hereby continued and adjourned to the first Return of the said Term.

IX. No Judicial Proceedings commenced before the 5th of May, 1660. in the Stile or Teste of Custod. Lib. Angl. &c. or Oliver Lord Protector, &c. or Richard Lord Protector, &c. shall be discontinued by the Kings re-assumption of the Government: nor shall the same be cause of Error.

Dispensations.

I. Stat. 28 H. 8. 16. All Bulls, Breves, Faculties and Dispensations from the Bishop or See of Rome to any of the Kings Subjects in any of the Kings Dominions, shall be void, and shall not be used, in pain of a *Premunire*.

II. Former lawful Marriages are confirmed.

III. A Confirmation of all Archbishops and Bishops, and their Authority, and of other Ecclesiastical Persons and Orders by Authority of this Act, and not by any Foreign Power.

IV The Effects and Contents of all Bulls, Breves, and other Faculties purchased of the See of Rome, which are allowable, shall be confirmed under the Great Seal.

Distresses.

I. Stat. *De Distractione Scaccarii*, 51 H. 3. The Owner of Impounded Cattle may give them Food without disturbance.

II. A Distress taken for the Kings Debt, shall not be sold within 15 days; and upon shewing of a Talley, and giving Surety for his Appearance in the Exchequer upon the next Account, the Distress shall cease: the Sheriff shall also Attach the Party that received the Debt, to be there also at the same time.

III. Neither Draught-Cattle nor Sheep shall be Distrained (except for *Damage fasant*) so long as other Goods may be found to satisfy the Debt: Distresses shall be reasonable: The Sheriff shall answer all Debts received; and where the Sheriff chargeth himself, the Debtor shall be acquitted.

IV. *Marlbr.* 1. 52 *H.* 3. All Persons (high and low) shall receive Justice in the Kings Court.

V. None shall take any Distress of his own authority without Award of our Court, in pain (upon Conviction thereof) to be punished by Fine, according to the Trespass; and the Party grieved shall be also recompensed his loss.

VI. *Marlbr.* 2. 52 *H.* 3. None shall distrain any to come to his Court that is not of his Fee, or upon whom he hath no Jurisdiction; neither shall Distresses be taken out of the Fee or Place where he hath no Jurisdiction: in pain that the Offender shall be punished, as before.

VII. *Marlbr.* 3. 52 *H.* 3. If any will not suffer Distresses to be delivered by the Kings Officers, or Summons, Attachments, or Executions of Judgments given in the Kings Court, to be done, he shall be punished as aforesaid.

VIII. If a Lord Distrain his Tenant for a thing which he hath cause to Distrain, and yet it is afterwards found not to be due; in such case, if the Lord suffer the Distress to be delivered, he shall not be Fined, but only Amerced; nevertheless the Tenant shall also recover his Damages against him.

IX. *Marlbr.* 4. 52 *H.* 3. None shall drive a Distress out of the County wherein it was taken, in pain to make Fine, as before: And if a Lord presume so to do against his Tenant, he shall be grievously Amerced.

X. None shall take an unreasonable Distress, in pain to be grievously Amerced.

XI. *Marlbr.* 15. 52 *H.* 3. It shall be lawful to none (except the King, and his Officers, having special Authority) to take Distresses out of his Fee, or in the Kings High-way, or in the common Street.

XII. *West.* 1. 16. 3 *E.* 1. None shall drive a Distress out of the County, or Distrain wrongfully, or out of his Fee, in pain to be punished as by the Statute of *Marlbr.* is provided, or more grievously, if the Trespass require.

XIII. *West.* 1. 17. 3 *E.* 1. If Beasts be Impounded in a Castle or Fortrefs, and (after convenient notice to the Impounder, &c.) not suffered to be Replevied by the Sheriff, or some other of the Kings Bailiffs, the King will command that Castle or Fortrefs to be demolished; and (after the first demand of the Sheriff or Bailiff) the Plaintiff shall recover double Damages against the Lord, or Impounder, or, if the Impounder be not able, then against the Lord himself only.

XIV. In this case, if the Bailiff of the Franchise refuse to do it, then shall the Sheriff do it himself, upon the aforesaid pains.

XV. Also deliverance shall be made by Attachment of the Plaintiff made without Writ, and upon the same pain.

XVI. *West.*

XVI. West. 2. 36. 13 E. 1. None shall procure any to Distrain another to make him appear at the County Court, or any other inferior Court, on purpose to vex him, and put him to charge and trouble, in pain to make Fine to the King, and to pay to the Party grieved treble Damage.

XVII. West. 2. 37. 13 E. 1. No Distresses shall be taken but by Bailiffs known and sworn, in pain to restore Damages to the Party grieved, and to be grievously punished by the King.

XVIII. Artic. cleri. 9. 9 E. 2. Distresses shall not be taken in the High-way, nor in the ancient Fees of the Church.

XIX. Stat. 1. 2 P. M. 12. No Distress of Cattle shall be driven out of the Hundred where it is taken, except to 3 Pound overt within the same Shire, nor above three Miles distant from the Place where it was taken: neither shall a Distress be Impounded in several places, whereby the Owner may be constrained to Sue several *Replevins* for the delivery thereof: in pain to forfeit to the Party grieved for every Offence committed against this Act 5 l. and treble Damages.

XX. None shall take above 4 d. for the Poundage of one Distress; (and, where less is usually taken, to take less) in pain to forfeit to the Party grieved 5 l. besides what is taken above.

XXI. The Sheriff shall at his first County-day, or within two Months after he receives the Patent, depote, and proclaim in the Shire-Town four Deputies to make *Replevins*, not dwelling above 12 Miles distant from one another, in pain to forfeit for every Month he wants such Deputy or Deputies, 5 l. to be divided betwixt the King and the Prosecutor.

Dover: See Title Havens and Rivers, Num. XIV.

I. Artic. super Chart. 7. 28 E. 1. The Constable of Dover Castle shall not hold Plea of any Foreign County within the Castle-Gates, except it concern the keeping of the Castle: neither shall he Distrain the Inhabitants of the Five Ports to Plead elsewhere or otherwise than as they ought, according to the Form of their Charter, Confirmed by the Great Charter.

Dover.

I. Merton. 1. 20 H. 3 A woman desorced of her Dower or *Quarantine* in a Writ of Dower shall recover Damages, viz. the value of her Dower from her Husbands death, to the day of the recovery of her Dower, and the Desorcer shall be Amerced.

II. West. 1. 40. 3 E. 1. In a Writ of Dower (*unde nihil habet*) the Writ shall not abate by the Exception of the Tenant,

that she hath received her Dower of another before the Writ purchased, unless he can shew that she received part of her Dower of himself, and in the same Town before the Writ purchased.

III. *West. 2. 4. 13 E. 1.* The Wife shall be Endowable as well where Land was recovered against her Husband by default, as by Covin; so that albeit the Land was lost by the Husbonds default, yet that shall be no good Allegation for the Tenant, but he must then proceed and shew his Right, otherwise the Wife shall recover.

IV. When Tenant in Dower, in Frank-marriage, by the Courtesie, for Life or in Tail, lose their Land by default, and the Tenant is compelled to shew his Right, they may vouch the Reversioner, if they have Warranty; and then the Plea shall pass betwixt the Tenant and the Warrantor, according to the Tenour of the Writ, by which the Tenant recovered by default: and so from many Actions they shall resort to one Judgment, viz. that the Demandants shall recover that Demand, and the Tenant shall go quit.

V. Here if the Action of such a Tenant which is compellable to shew his Right, be moved by a Writ of Right, albeit the great Assise or Battle cannot be joyned by words accustomed, yet shall it in that case be joyned by words convenient.

VI. If the Wife be wrongfully Endowed by the Guardian during the minority of the Heir, he (at full age) shall be righted: yet shall the Wife retain her just Dower, if she make her Title good.

VII. By this Statute, in place of a Writ of Right, *Quod ei deforceat* is given to Tenant in Dower, in Free-Marriage, by the Courtesie, for Life, and in Tail, upon losing by default.

VIII. *Stat. 1 E. 6. 12.* The Wife shall be endowed, albeit her Husband were Attainted, Convicted, or Outlawed for Treason or Felony, saving the Right of others. *But note that this Clause is altered for Treason by 5 E. 6. 12. Which see in Treason.*



Drapery.

* I. *Stat. 12. E. 3. 3.* No Cloths made beyond Sea shall be brought into the Kings Dominions, in pain to forfeit the same, and to be further punished at the Kings will.

* II. *Stat. 11 E. 3. 5.* Cloth-workers of Strange Lands which come into the Kings Dominions, shall have the Kings Protection, dwell where they please, and have convenient Franchises granted unto them.

III. *Stat. Of Cloths. 25 E. 3. Stat. 4.* All Cloths vendible shall be measured by the Kings Aulnager or his Deputies.

IV. Every

IV. Every Cloth of Ray shall be 28 yards long, and six quarters Broad, and is to be measured by the List: also the Length of a coloured Cloth shall be 26 yards, and the Breadth 6 quarters and an half, and such Cloths are to be measured by the Back. *But this Statute for the Measure is altered by 27 E. 3. Stat. 4.*

* V. Stat. 27 E. 3. Stat. 1. 4. Cloths shall not be Forfeit for want of Measure, but the Aulnager shall measure them, and fix a Mark thereunto, expressing what each Cloth contains: and he shall take for his Fee of the Seller one Halfpeny for every Cloth which is of Assise, and a Farthing for an Half Cloth; but he shall take nothing for lesser Cloths, neither shall he meddle with Cloths which are not to be Sold: And the Buyer shall pay according to the quantity of the Cloth.

VI. A Subsidy granted to the King of every Cloth, viz. 2 Cloth (not grained) of Assise 4 d. the Half-Cloth 2 d. Scarlet 6 d. and 3 d. half grained 5 d. and 2 d. ob.

VII. Every Cloth passing Half a Cloth by three yards, shall pay Subsidy for a whole Cloth.

VIII. No Subsidy shall be paid for an Half-Cloth, nor for Cloth made for a Mans own use, or Sealed by the Aulnager for Subsidy paid before.

IX. Cloths put to Sale before they be Sealed, shall be Forfeited to the King.

X. Stat. 50 E. 3. 7. Woollen Cloths shall not be Transported beyond Sea, or pay Subsidy before they be Fulled.

XI. Stat. 50 E. 3. 8. Cloths called *Frise-ware* made of *Irish* Wooll, shall pay no Subsidy or Aulnage.

* XII. Stat. 3 R. 2. 2. The Aulnager shall not Seal a pieced Cloth, in pain that the Owner shall Forfeit the Cloth, and the Aulnager his Office.

XIII. If he Seal a Cloth which is not of Assise, he shall Forfeit the Value of the Cloth and his Office, and besides suffer Imprisonment, and be Ransomed at the Kings will.

XIV. Stat. 7 R. 2. 9. A Confirmation of all Statutes made against deceit in Cloths to be Sold, and against Aulnagers and Collectors of the Subsidy of Cloths.

* XV. He that findeth defects in any Cloths contrary to former Statutes, shall have the Value of the third Part of such Cloths, which nevertheless shall be answered to the King by the Aulnager, together with the rest of the Cloths Forfeited.

XVI. Stat. 13 R. 2. 10. *Cogware* and *Kendal* Cloth shall not be subject to the Statute of Assise of Cloth, but shall be made of such Length and Breadth as formerly, so it be made also of such course Wooll as formerly.

* XVII. Stat. 13 R. 2. 11. No plain Cloths tacked or folded made in the Counties of *Somerset*, *Dorset*, *Bristol* and *Gloucester*, shall be put to Sale before they be opened, in pain to Forfeit them.

XVIII. The

XVIII. The Workers, Weavers and Fullers shall put their Seals to every Cloth, upon a certain pain to be limited by the Justices of Peace.

* XIX. Stat. 17 R. 2. 2. No Cloth shall be Sold before it is Measured and Sealed by the Aulnager, upon the pains contained in the Statutes thereof made.

XX. No Deceits shall be used in Kerseys, in pain to Forfeit the same.

XXI. Stat. 4 H. 4. 24. The Aulnage may be let to Farm by improvement, according to the discretion of the Lord-Treasurer and Barons of the Exchequer, notwithstanding the Statute of 17 R. 2. Which see in Officers.

XXII. Stat. 9 H. 4. 2. No Cloth called *Kendal*, whereof the dozen passeth not 6 s. 8 d. shall be Sealed, neither shall any Aulnage be paid for the same.

XXIII. Stat. 11 H. 4. 6. None shall tack or plait together Cloths before the Aulnager hath set his Seal unto them, in pain to Forfeit the same.

* XXIV. If the Aulnager be Attainted to do contrary to this Statute, he shall Forfeit to the King for the first Offence, 10 l. and for the second, 20 l. and for the third Offence, his Body shall be Arrested, and all his Goods and Chattels at the Kings will. And here the Prosecutor shall have a fourth part of the said Forfeitures of 10 l. and 20 l. saving to their Lords and other the Franchises.

* XXV. Stat. 11 H. 6. 9. This word *Cloth* in the aforesaid Statutes of 7 H. 4. 10. and 11 H. 4. 6. shall be understood of Broad Cloth; and Broad dozens, and not of Streets.

XXVI. Every Man may make and sell all Streets containing in length 14 Yards, and in breadth one Yard, unwatered, or else 12 Yards watered, paying to the King the due Aulnage, Subsidy, Customs, and other Devoirs.

XXVII. If Streets want the aforesaid Length and Breadth, the Aulnager shall cut off the List thereof at one of the ends, to the end it may be afterwards Sold as a Remnant, and not for a Cloth.

XXVIII. No such Cloth shall be put to Sale until they be Measured, Searched and Sealed by the Aulnager, in pain to Forfeit the same.

XXIX. The Aulnager that Sealeth any Streets wanting the Length and Breadth aforesaid, and cutteth not off the List, as aforesaid, shall Forfeit to the King for every such Piece of defective Cloth, 6 s. 8 d.

* XXX. Stat. 4 E. 4. 1. Broad Cloth made fit for Sale shall contain in length 24 Yards, with a Mans Inch to be added to every Yard, and is to be measured by the Chest; and in breadth 2 Yards, or 7 Quarters at least within the Lists: and if the Cloth be longer, the Buyer shall pay for it (over and besides) according to the Rates.

XXXI. Streets

XXXI. Streets made fit for Sale shall contain 12 Yards and 3 such Inches in Length; and one Yard in Breadth within the Lists.

XXXII. Kerseys made fit for Sale shall contain 18 Yards and 3 Inches in Length; and in Breadth a Yard and a Nail, or (at least) a Yard within the Lists.

XXXIII. Every Half-Cloth, Street and Kersey shall keep his Measure in Length and Breadth, according to the Rate of the whole Cloth respectively.

XXXIV. None shall put into Cloth to be Sold any Lambs Wooll, Flocks or Cork, in pain to Forfeit 20 s. for every Cloth or Half-Cloth so mingled, to be divided betwixt the King and the Prosecuter.

XXXV. Provided, that Cloth may be made of Lambs Wooll only, and Cork may be used in Dying upon woaded Wooll, and Cloth made only of woaded Wooll, the said Wooll and Cloth being perfectly boiled and maddered: Cork also may be put upon Cloth perfectly boiled and maddered.

XXXVI. Every Piece of Cloth shall be perfectly wrought throughout the whole Piece, according to the same order of Workmanship.

XXXVII. If any difference in Weaving, Fulling, Knotting, or Barking, or any Raw, Skaw, Cockle or Flag happen therein, a Seal of Lead shall be hanged on the lowest part of the edge thereof, to the end the Buyer may take notice thereof.

XXXVIII. Cloths, Streets and Kerseys of a true length, breadth, and making, shall be Sealed at the end thereof with a double Print of Lead.

XXXIX. Cloths, Streets and Kerseys, not containing the due length and breadth, or not perfectly made, and two parts thereof perfectly made, keeping their said Length and Breadth, every such Piece shall be Sealed in form aforesaid.

XL. If a Cloth, Street or Kersey be longer than an Half-Cloth, and shorter than a whole one, and yet have the true Breadth, and be perfectly Wrought, it shall have a Seal differing from the other two abovesaid, and fixed to the end thereof.

XLI. A Cloth, Street or Kersey, less than an Half-Cloth, shall be Sealed at the end thereof by a Seal differing from all the rest.

XLII. All the said Seals are to be ordained by the Lord-Treasurer for the time being, who hath power to make as many Keepers of them as he shall think necessary, so as one of them be an Alien.

XLIII. These Keepers shall yearly render an Account of the Revenue of their Offices, without paying any Fees for the same, and shall also be rewarded by the Treasurer and Barons according to their labour and diligence,

XLIV. If

XLIV. If any of the said Keepers be found faulty or corrupt in his Office, refuse to Seal, extort more than his due Fees, or refuse to shew his Commission upon Sealing or Measuring any such Cloth, he shall Forfeit 20 s. to be divided betwixt the King and the Prosecutor, and to be recovered in the Exchequer.

XLV. This Statute, and others heretofore made and in Force, which concern the Premises, shall be inserted in every such Keeper of an Aulnagers Commission.

XLVI. The Clothier shall pay to his Work-folks their Wages in ready Money, and not in Wares, as formerly, in pain to Forfeit to such Work-folks treble Damages; and shall deliver them Wooll according to due weight, in pain to Forfeit 6d. for every such default.

XLVII. Every Carder, Spinster, Weaver, Fuller, Shearman and Dyer, shall duly perform their Duty in their Occupation, in pain to Forfeit double Damages to the Party grieved; and every Fuller in Fulling, Rowing or Tazelling of Cloth, shall use Tazells and not Cards, in pain to yield double Damages to the Party grieved.

XLVIII. Every Justice of Peace, Constable of any Hundred, or Steward of a Leet out of Corporations, and in Corporations every Head Officer or Officers, where no Master is, and every Master shall hear and determine such Complaints, as well concerning the Non-payment of the Labourers Wages as the Damages aforesaid; for which said Damages they shall also have power to commit the Offender to Prison, until the Party grieved be satisfied.

XLIX. The said Justice and Officers have power, at the instance of any other Person, to enquire after, and punish such Offenders by inflicting 2 s. 4 d. upon them, to be paid to the King, or other Lord of the Liberty where such Offence is committed.

L. No Cloth made in any other Region (except in *Wales, Ireland*, or taken at Sea without fraud) shall be brought into *England* to be sold, in pain to Forfeit the same.

LI. Stat. 7 E. 4. 2. The Inhabitants of the Hundreds of *Lifton, Tavestock* and *Rouburgh* in *Devon*, may put Flocks into their Cloths, notwithstanding the Statute of 6 E. 4. 1. *Vide supra*.

* LII. Stat. 7 E. 4. 3. No Person, Denizen or Stranger, shall carry beyond Sea any Woollen Yarn or Cloth not Fulled, in pain to Forfeit the Value thereof, to be divided betwixt the King and the Prosecutor.

LIII. Stat. 17 E. 4. 5. Woollen Cloths, Half-Cloths, Streets and Kerseys, being perfect in Making and Measure, shall be Sealed with Wax at both ends; except in *London* and *Bristol*, which shall be Sealed with Lead.

LIV. The

LIV. The Lord Treasurer hath power to let to Farm the Subsidy and Aulnage of Cloths, and also the moiety of all Forfeitures of Cloths not duly Sealed, for which they shall be accountable in the Exchequer.

* LV. Stat. 1 R. 3. 8. Broad Cloth shall be fully Watered before it be put to Sale; and every whole Cloth, and also Broad Cloth being Watered ready for Sale, shall contain in Length 24 Yards, each Yard having a Mans Inch added thereunto, to be measured by the Crest, and shall also contain in Breadth two Yards within the Lifts.

LVI. Every half such Cloth shall contain in Length 12 Yards with Inches, and to be measured by the Crest, as aforesaid, and in Breadth 2 Yards within the Lifts.

LVII. The Half-Cloth shall not exceed 16 Yards: in pain of cutting the whole Cloth in three Pieces, and the Half-Cloth in two Pieces; and to lose for every whole Cloth 6s. 8d. and for every Half-Cloth 3 s. 4d. not fully Watered, or not keeping the said Measures.

LVIII. If a Whole Cloth or Half-Cloth exceed these Measures, the Buyer shall pay for the excess: Howbeit the Half-Cloth must not pass 16 Yards.

LIX. Streets shall contain in Length 12 Yards with Inches, as aforesaid, and in Breadth one Yard within the Lifts, in pain to have each of them cut in two Pieces, and besides to Forfeit for each of them 20 d.

LX. Kerseys shall contain in Length 18 Yards with the Inches, as aforesaid, and in Breadth one Yard and a Nail at least, in pain to have them cut, as aforesaid, and to Forfeit for each of them 3 s. 4d.

LXI. The Lord Treasurer shall appoint Seals for Cloth to be made, having the Kings Arms Printed on the one side, and the Arms, Sign or Token of the City, Borough or Town, or the Name of the County where they are made, on the other side.

LXII. The Lord Treasurer shall make none Aulnager, Sealer, or Keeper of the Seal, but him that is expert in Cloth-working, and worth 100 l. at least; and the Officer so deputed shall Seal no Cloth but such as is made within the limits of his deputation, in pain to Forfeit to the King for every Whole Cloth 5 Marks, for an Half-Cloth 33 s. 4d. for a Street 20 s. and for a Kersey 10 s.

LXIII. None shall set or draw in Length or Breadth to any Cloth fully Watered, by Tentering or otherwise, in pain to Forfeit the same.

LXIV. None shall set, cast or put upon Cloth any Flocks, Chalk, or other deceitful thing, in pain of 40 s. for every Cloth so used.

LXV. No

LXV. No Shear-man or other shall Shear or Cancel any Cloth not fully Watered, upon the like pain of 40 s. for every Cloth.

LXVI. None shall convey any Cloth beyond Sea not fully Watered, and after it is so Watered, it shall not be set or drawn in Length or Breadth, in pain of 40 s. for every Cloth so conveyed.

LXVII. None shall Retail Cloth before it be fully Watered, and being so Watered, it shall not be set or drawn, as aforesaid, in pain that the Seller shall Forfeit the said Cloth, or the Value thereof.

LXVIII. None shall keep in his House any Tenter or other Engine whereby Cloth may be drawn in Length or Breadth, in pain of 20 l. but Tenters shall be set in open Places, and used only for the due stretching of Cloth after it cometh from the Mill, and before it be Rowen. And all Head Officers shall take care that Cloth put upon Tenters shall not be unduly drawn in Length or Breadth.

LXIX. No Stranger shall buy any Wooll which shall pass through the Straits of *Marroko*, sorted, clacked or barked, nor any Wooll whereof any Locks or Refuse shall be made, but such as is clipped and purely wound without deceit, and Merchantable, according to the growing of the Country, without such sorting, clacking or refuse, as aforesaid, in pain to Forfeit such Wooll, and the double Value thereof.

LXX. No Dyer shall Dye any Cloth with Orchel or Cork, in pain of 40 s. neither shall any put to Sale any Cloth so Dyed, in pain to Forfeit the same. Howbeit Cork made within this Realm may be used in Dying upon Wooll-wards, so that the Wooll and Cloth be perfectly boiled and maddered: also such *English* Cork may be put upon Cloth that is perfectly boiled and maddered.

LXXI. Every Dyer shall Dye both the Cloth and the List with one and the same Colour, in pain to Forfeit the same.

LXXII. None shall put to Sale any Cloth deceitfully Dyed, in pain to Forfeit the same, or the Value thereof.

LXXIII. Faulty Cloth shall be brought to the Chief Officer of the Place where it is Seised, and shall be cut in three Parts, whereof the Seiser shall have one, another shall be by him carried into the Exchequer, and the third the said Officer shall have for the use of the Commonalty.

LXXIV. All other Forfeitures of this Act shall be divided betwixt the King and the Prosecutor.

LXXV. The Statute shall not extend to Cloth called Ray, or joynd with Ray, Plonkets, Turkins, Celestrines, Packing Whites, Vesses, Cogware, Worstedes, Florences, Bastards, Kendals, Sailing-ware, or Frize-ware; the said Cloths being perfectly made, according to their nature and true making.

* LXXVI. Stat.

* LXXVI. Stat. 3 H. 7. 11. None shall Transport any Woollen before it is Barbed, Rowed and Shorn, in pain to Forfeit the Value thereof, to be divided betwixt the King and the Prosecutor; except Vesses, Rays, Sailing-Cloths, and other Sold at 40 s. or under.

* LXXVII. Stat. 3 H. 8. 7. The Stat. of 7 E. 4. 3. and 3 H. 7. 11. are confirmed; only Vesses, Rays, Sailing-Cloths and others, not exceeding four Marks the Cloth, may be Transported.

* LXXVIII. Stat. 5 H. 8. 2. None shall make White Streets to Sell, but when they are raw ready to be Toked, and being a Yard and half a Quarter broad, and 15 Yards long, and except the Maker set his special Mark upon them, neither shall any use anothers Mark, in pain to Forfeit the Cloths otherwise made or marked, to be divided betwixt the King and the Seifer.

* LXXIX. Stat. 5 H. 8. 3. White Cloths at 5 Marks and under, may be conveyed beyond the Sea Unbarbed, Unshorn, and Unrowed.

* LXXX. None shall convey beyond Sea any such Cloths worth above Five Marks the Piece Unbarbed, Unshorn, Unrowed, in pain to Forfeit the Value thereof, to be divided betwixt the King and the Prosecutor.

* LXXXI. Stat. 6 H. 8. 8. The Statute of 5 H. 8. 2. is made perpetual; and none shall make white or russet Streets (which being raw) shall not be of length and breadth, and marked, as by the said Stat. of 5 H. 8. 2. is ordained, and shall not weigh 14 Pounds the Piece at least, in pain to Forfeit the same, to be divided betwixt the King and the Seifer.

* LXXXII. Stat. 6 H. 8. 9. The Wooll delivered by the Clothier for Breaking, Kembering, Carding or Spinning, shall be by just weight of *Avoir du poiz*, not exceeding above one Quarter for the Waste in 12 Pound of seimed Wooll; and the Breaker, Kember, Carder and Spinner, shall re-deliver to the Clothier the same Wooll, or Woollen Yarn, by the same weight (the waste thereof excepted) without concealing any part thereof, or putting any thing therein deceitfully, in pain to Forfeit to the Lord of the Leet where the Work is done, for every such default 12 d. upon proof thereof before the Head Officer there, calling to him fit Persons to prove the same.

* LXXXIII. The Weaver shall put all the Yarn delivered unto him into the Web, or restore it without putting any thing deceitfully thereunto, in pain of 3 s. 4 d.

* LXXXIV. None shall buy any coloured Wooll or Yarn of any Carder, Spinner or Weaver, but in open Market, in pain to Forfeit the same.

LXXXV. The

LXXXV. The Walker and Fuller shall duly work every Web without Flocks or other deceit, and shall not Row or Work in it on either side with Cards, in pain of 6s. 8d.

LXXXVI. None shall put to Sale any Cloth which (being wet) shall shrink above one Yard in Length, and one Quarter in Breadth, for the more part thereof, or Narrows or Streets after that rate, in pain of 6s. 8d. and to abate the Buyer for such defect.

LXXXVII. None, after he hath bought Cloth, shall draw or strain it in Length or Breadth with Tenter, Wrinch, or otherwise, in pain of 5 l.

LXXXVIII. Provided, that such Buyer (having for proof-take fully wet Cloth) may draw and strain them for evening them only, so that he exceed not one Yard of the Length it had when it was fully wet.

LXXXIX. None shall put upon Cloths any Flocks or other deceit, in pain of 20s.

XC. The Buyer and Seller of Cloths shall measure them by Yard and Inch of the Rule, and not otherwise, in pain of 5 l.

XCI. The Forfeitures afore said shall be divided betwixt the King and the Prosecutor.

XCII. This Act shall not extend to *Kendals, Carpnel Whites, Tostocks* made in *Devon*, Cloths made in *Cornwall*, Cottons or Frize made in *Wales. Lancashire* or *Cheshire*.

XCIII. Stat. 14 & 15 H. 8. 11. The Stat. of 6 H. 8. 9. touching the shrinking of Cloths, shall not extend to Vesses or set Cloths, when they exceed not the Value of 40 s. the Cloth.

* XCIV. Stat. 25 H. 8. 18. None shall make Cloth in *Worcestershire*, but only such as dwell in *Worcester, Evesham, Droitwich, Kidderminster, and Bromesgrove*, in pain to Forfeit for every Cloth elsewhere made, 40 s.

* XCV. This Act shall not extend to Cloths made for any Persons own use, their Children or Servants.

* XCVI. Stat. 27 H. 8. 12. Every Clothier shall cause his Mark to be woven in his Cloths and Kerseys, and shall set a Seal of Lead thereunto, shewing the true Length thereof, as they will hold being wet: and in case of defect, the Clothier shall Forfeit the double Value thereof to the Buyer.

XCVII. If the Clothier put any Cloths to Sale before they be Sealed by the Aulnager, or order them not, as afore said, they shall be Forfeited, and divided betwixt the King and the Prosecutor.

XCVIII. Broad Cloth shall hold seven Quarters in Breadth betwixt the Lifts, being proved by the Water, and Kerseys one Yard, in pain of 3s. 4d. for that, and 20 d. for this, to be divided betwixt the King and the Prosecutor.

XCIX. This Statute shall not extend to Cloths not exceeding seven Nobles the Cloth, nor to *Tavestocks*, Western Dozens, Frizes,

Frizes, Kendals, Cottons, nor coarse Cloths made for Linings.

C. The Aulnager shall not Seal Cloths until they be Sealed by the aforesaid Seal of Content, in pain to lose his Office; neither shall the Buyer afterward alter them by stretching, unless he after reduce them to the right Content again, in pain to Forfeit the double value thereof, to be divided, as aforesaid.

* CI. Stat. 27 H. 8. 13. Every white Woollen Cloth sold for 4 l. and under, and every coloured Cloth sold for 3 l. and under, may be conveyed beyond Sea Unbarbed, Unshorn, and Unrowed; but none shall convey such Cloths beyond Sea above these Prices, in pain to Forfeit the value thereof, to be divided betwixt the King and the Prosecutor.

* CII. Stat. 33 H. 8. 3. Welsh Cloths called Whites, Ruffets and Kennets, brought into Fairs or Markets to be sold, shall be sold in Pleights or Curtles, and not hard rolled together, in pain to Forfeit the same, to be divided betwixt the King and the Prosecutor.

* CIII. Stat. 33 H. 8. 19. None shall ship any white Woollen Cloth above the value of 4 l. nor coloured above 3 l. Unrowed, Unbarbed, or Unshorn, with an intent to convey it beyond Sea, in pain to Forfeit the same, or the value thereof, to be divided betwixt the King and the Prosecutor.

* CIV. Stat. 3 & 4 E. 6. 2. Every Clothier shall set his Seal of Lead to his Cloth, declaring just the length thereof, to be tried by the Water.

CV. None shall stretch any Cloth above a yard and a half in length, and a quarter in breadth, in pain of 40 s.

CVI. None upon the said pain shall put to Sale any Cloth which (being wet) shall shrink above a yard and a quarter in length, or a quarter in breadth: neither shall Streets or Kerseys be stretched above a yard in length, and half a quarter in breadth, in pain of 20 s.

CVII. None shall put to sale any Cloth, Narrow Street or Kersey, the Pieces whereof (being wet) shall shrink more than after the same Rates, in pain of 20 s.

CVIII. None shall Dye any Cloth before it be perfectly Boyled, Grained, or Madderred upon the Woad, and well Shot with good Cork, or Orchel, in pain of 20 s.

CIX. None shall Dye any Wooll to be converted into Cloth, Hats or Caps, before it be perfectly Woaded, Boyled and Madderred, in pain to Forfeit for every such Cloth, or so much Wooll as makes a Cloth, 40 s. neither shall any Dye with Brasil to make a false colour in Cloth, Wooll, Hats or Caps, in pain of 20 s.

CX. None shall put upon Cloth any Flocks, Chalk, Flour, Starch, or other deceivable thing, in pain of 40 s.

CXI. None shall use any Iron Cards or Pickards in Rowing of Cloth, in pain to Forfeit the same, and 20 s. besides.

CXII. None shall sell any Cloth by other Measure than Yard and Inch, according to the Stat. of 6 H. 8. 9. in pain to Forfeit for every Yard otherwise measured, 6 s. 8 d.

CXIII. None shall put to sale within this Realm any Cloth pressed, in pain to Forfeit the same, or the value thereof.

CXIV. Justices of Peace and Head Officers shall in their several Precincts appoint and swear Officers for the due observing of this Statute concerning the well ordering of Cloth, who shall have power to make Search accordingly.

CXV. The Forfeitures for Defaults in Cloth (mentioned in that Statute) shall be recovered in any Court of Record, and shall be divided betwixt the King and the Overseer that discovers them: but in case the Overseers will not Sue for them within half a year, then may any other within another half year take the Suit, and shall have the Overseers moiety.

CXVI. No Overseer duly chosen, shall refuse to execute that Office, in pain of 40 s. and shall remain in the Custody of the Sheriff until he pay it, or give Security for it; and this shall be divided betwixt the King and the Justices of Peace or Head Officers that chose him.

CXVII. The Overseers, or Two of them at least, shall once every Quarter make due Search for the true Executing of this Statute, in pain of 10 l. to be divided betwixt the King and the Prosecutor.

CXVIII. None shall interrupt the Overseers in the due Execution of their Office, in pain of 20 l. to be divided betwixt the King and the Overseers so interrupted.

CXIX. None shall take advantage of the Forfeitures given by this Act, unless the Suit for them be commenced within One year after they accrue.

CXX. Every Clothier shall cause the Letter *E* crowned to be wrought in every Cloth, in pain of 20 s. to be divided betwixt the King and the Prosecutor.

CXXI. Stat. 5 & 6 E. 6. 6. Every Broad Cloth made in *Kent, Suffex, or Reading*, or of like making with them, (being thorow wet) shall contain in length betwixt 28 and 30 yards usual measure, and in breadth 7 quarters throughout within the Lists; and being well scoured, thicked, milled and dried, shall weigh 90 pounds at least.

CXXII. Every white Cloth made in *Worcester, Coventry*, or elsewhere, of like making (being wet) shall contain in length betwixt 29 and 30 yards with inches of the Standard, and 7 quarters throughout in breadth betwixt the Lists, and, being ordered, as aforesaid, shall weigh 84 pounds at least: and every coloured Cloth there shall contain like length and breadth, and shall weigh 80 pounds at least.

CXXIII. White

CXXIII. White short *Worcesters* shall contain in length (being wet) betwixt 23 and 25 yards with inches, as aforesaid, and in breadth, as aforesaid, and shall weigh 60 pounds at least.

CXXIV. Coloured long Cloths made in *Suffolk, Norfolk, Essex*, and elsewhere, of like sort, shall contain in length (being wet) betwixt 20 and 30 yards and inches, and in breadth 7 quarters, and shall weigh 80 pounds at least: and coloured short Cloths there and elsewhere, shall contain in length betwixt 23 and 25 yards, and the breadth aforesaid, and shall weigh 64 pounds at least: also coloured or white Handywarps there and elsewhere, shall be of like breadth, and every yard thereof shall weigh 3 pounds.

CXXV. All Whites and Reds in *Wilt*, *Gloucestershire*, and *Somerset*, and elsewhere, of like making (being wet) shall contain in length betwixt 26 and 28 yards, and 7 quarters in breadth, and weigh (being white) 64 pounds; but coloured 60 pounds at least: also Plunkets, Azures, Blues, and other coloured Cloths made there and elsewhere, shall contain in length betwixt 25 and 28 yards, be of the same breadth, and shall weigh 88 pounds.

CXXVI. Ordinary Kerseys shall contain in length betwixt 17 and 18 yards, and shall weigh 20 pounds; and sorting Kerseys shall have equal length, but shall weigh 13 pounds.

CXXVII. The length of *Devonshire* Kerseys called *Dozens*, shall be betwixt 12 and 13 yards, and their weight 14 pounds.

CXXVIII. The length of Broad Cloths called *Tauntons*, *Bridgwaters*, and the like, shall be betwixt 12 and 13 yards, and their breadth 7 quarters: and every narrow Cloth made there or elsewhere of like sort, shall contain in length betwixt 24 and 25 yards, and in breadth one yard, and shall weigh 34 pounds.

CXXIX. Check Kerseys and Streets shall contain in length betwixt 17 and 18 yards, and in breadth one yard, and shall weigh 24 pounds.

CXXX. Frizes in *Wales*, and elsewhere, of like making, ready for sale and wet, shall contain 36 yards at most in length, 3 quarters in breadth, and shall weigh 48 pounds; and every half Piece after the same rate.

CXXXI. Northern Cloths shall be betwixt 23 and 25 yards long, and 7 quarters broad, and shall weigh 66 pounds.

CXXXII. Dozens shall be betwixt 12 and 13 yards long, and 7 quarters broad, and shall weigh 33 pounds.

CXXXIII. Pennystones and Forest-whites shall be betwixt 12 and 13 yards long, and six quarters and an half broad, and shall weigh 28 pounds.

CXXXIV. *Manchester*, *Lancashire*, and *Cheshire* Cottons shall be 22 yards long, and 3 quarters broad, and shall weigh 30 pounds.

CXXXV. *Manchester* Ruggs or Frizes shall be 36 yards long, 3 quarters broad, shall not be stretched above a nail, and shall weigh 48 pounds.

CXXXVI. If any put to sale any of the Broad Cloths above-said, not of the due length, breadth or weight above-said, they shall Forfeit for every Cloth defective or exceeding in length or breadth, 40 s. and for every pound it wants (not exceeding four) 2 s. the pound; and if it want more than four, they shall Forfeit 40 s.

CXXXVII. Provided, if Broad Cloth exceed the due length by reason of the fineness or stuffy making thereof, the Maker shall not incur any Penalty thereby.

CXXXVIII. If any put to sale any other Cloths above specified not of due length, breadth and weight, as aforesaid, they shall Forfeit 20 s.

CXXXIX. None shall put any Flocks or Yarn made of Lambs-Wool into any of the above-said Cloths, in pain to Forfeit the same, or the value thereof.

CXL. None shall put any Cloth or Kersey to sale before they have paid the Aulnager his due Fee, in pain of 20 s.

CXLI. No Cloth shall be Transported before the Seals of the Aulnager and Owner be put thereon, in pain to Forfeit the same, or the value thereof.

CXLII. No Retailer of Cloth shall put it to sale before he have tried it by Water, Measure, and Weight, and shall present the defect thereof to an Head-Officer, or two next Justices of Peace, in pain to Forfeit the double value thereof: and the Cloth found defective, shall be divided into Three parts; whereof the King shall have one, the Prosecutor another, and the Head Officer or two Justices the third.

CXLIII. The Clothier shall repay to the Buyer of faulty Cloth his Money again, or otherwise satisfy him for the same, in pain to Forfeit to the Party grieved the double value thereof.

CXLIV. None shall stretch Cloth above a yard in length, and an half quarter in breadth, in pain of 5 l.

CXLV. None shall use with his Tenter any Wrinch, Rope, Ring, or other Engine, to strain or stretch Cloth, in pain of 20 l.

CXLVI. Two or more Searchers of Cloth shall be appointed in every place where Cloth is made, who being sworn, shall have power to enter into all Houses where Cloth is made or wrought, to make search whether the Cloths are well dressed and pressed with the Cold Press: and the moiety of all Forfeitures thereupon accruing shall the King have, and the other shall be given to the use of the Commonalty or Town where the Offence or Default is committed or made.

CXLVII.

CXLVII. The

CXLVII. The Party with whom such defective Cloth is found, shall recover Damages against the Party that was the cause thereof, by Action of Debt, &c.

CXLVIII. The Head Officer of every Town shall prepare a Seal of Lead, having the Arms and Name of the Town Printed thereupon, which Seal the Searchers shall fix to every Cloth well made, and shall have for every Seal so fixed, 2 d.

CXLIX. If the Searchers find any faulty coloured Cloth, they shall at each end fix another Seal of Lead, having the Letter F Printed thereupon, and shall also in the List (just against the Fault) set another Mark of an inch compass, to the end the Buyer may readily discover where the fault is.

CL. If the Searchers set the Town-Seal to Cloth not sufficiently Dressed, the Corporation shall Forfeit the value thereof.

CLI. If the Searchers set the Town-Seal to faulty Cloth, or do not set the Letter F above expressed thereunto, the Corporation shall Forfeit 5 l.

CLII. No Retailer of Cloth shall put it to sale, unless the said Town-Seal be fixed thereunto; and he shall keep it fixed at one end thereof until it be all sold; in pain to Forfeit the value of such Cloth.

CLIII. The Corporation that appoints not such Searchers, shall Forfeit 10 l. and the Searcher that refuseth to execute the Office, shall Forfeit 5 l. to be divided betwixt the King and the Corporation, and shall be in Ward until he pay, or give Security for it.

CLIV. None shall Press any Cloth with the Hot Press, nor in any other deceiveable manner, but only with the Cold Press, in pain to Forfeit the same, or the value thereof.

CLV. If any (but Persons authorized by this Act) counterfeit, set to, or take away from any Cloths, any of the Seals appointed by this Act, he shall Forfeit for the first Offence (being thereof convicted by 12 Men, two Witnesses, or his own Confession) 10 l. and for the second shall stand upon the Pillory, and Forfeit all his Goods and Chattels to the King.

CLVI. Every Article in any Statute heretofore made concerning the Making, Dying, Pressing, Searching, or Sealing any of the Cloths above in this Act mentioned, and being repugnant or contrariant to any Article of this Statute, shall be void.

CLVII. The Forfeitures abovesaid (not otherwise appointed) shall be divided betwixt the King and the Prosecutor.

CLVIII. Provided it shall not be lawful to Boyl Wooll (to be converted into Cloth) with Galls, Rinds, Bark, or Sawdust, in pain to Forfeit the same, or the value thereof, to be recovered and had, as aforesaid.

CLIX. This Act shall not extend to *Devonshire Cloths* called *Tavestocks*.

CLX. Stat. 5 & 6 E. 6. 8. No Person shall weave or make, or put to weaving or making, Broad Woollen Cloth, unless he hath been seven years Apprentice to that Art.

CLXI. Stat. 1 M. Parl. 3. 7. Any Person may make Broad Cloth, and put them to Weaving, Walking, Fulling, Dying and Shearing, without any impediment, so that the Cloth be duly made according to the Statute of 5 & 6 E. 6. 6. notwithstanding the Stat. of 5 & 6 E. 6. 8. or any other Statute of Cloth-making made to the contrary.

* CLXII. Stat. 2 & 3 P. M. 11. No Clothier in any Corporation or Market-Town shall keep in his house above one Loom, or let any Loom, or House and Loom together, to make Profit thereby, in pain to Forfeit for every Week he so keepeth or letteth them, 20 s.

CLXIII. No Weaver in the said Places shall keep above two Looms in his House to make Profit thereof, in pain to Forfeit for every Week he keeps more, 20 s.

CLXIV. A Weaver (being no Cloth-maker) shall not keep any Tucking-Mill, nor use the Art of a Tucker, Fuller or Dyer, in pain of 20 s. for every Week.

CLXV. No Tucker or Fuller shall have in his House any Loom to make profit thereof, in pain of 20 s. for every Week.

CLXVI. None shall make any Broad white Woollen Cloths but in a Corporation, Market-Town, or other Place where they have been made 10 years before the making of this Act, in pain of 5 l. for every Cloth otherwise made.

CLXVII. No Weaver in a Corporation or Market-Town, shall have above two Apprentices at one time, in pain of 10 l.

CLXVIII. None shall be a Weaver but he who hath been 7 years an Apprentice in that Art, in pain of 20 l.

CLXIX. This Act shall not extend to the Counties of York, Cumberland, Northumberland, and Westmorland.

* CLXX. Stat. 2 & 3 P. M. 12. No Cloths called *Bridgewater*, *Taunton* and *Chard* Cloths, and made in the County of *Somerset*, shall be sold there, before they be viewed, searched and sealed in *Bridgewater*, *Taunton*, or *Chard*, according to the Statute of 5 & 6 E. 6. 6. in pain to Forfeit the Cloth so sold, or the value thereof, to be divided betwixt the King and the Prosecutor.

CLXXI. Stat. 4 & 5 P. M. 5. White *Worcesters*, and all others of like making, being well Scoured, Thickened, Milled, and fully Dried, shall weigh 75 pounds.

CLXXII. Broad Cloths made in the Counties of *Wilt*s, *Glo*-*cester*, and *Somerset*, and all others of like making, ordered, as aforesaid, shall weigh 61 pounds.

CLXXIII. Broad Cloths made in *Kent*, *Suff*en, and *Reading*, and all others of like making, ordered, as aforesaid, shall weigh 86 pounds.

CLXXIV. Course

CLXXIV. Course short Cloths made in *Suffolk, Norfolk, Kent,* and *Essex*, and others of like sort, shall contain at the Water 6 quarters and an half in breadth.

CLXXV. Handy-warps, ordered, as aforesaid, shall contain the breadth ordained by the Statute of 5 & 6 E. 6. and shall weigh two pounds and an half.

CLXXVI. None shall add Handy-warp Lifts to their Cloths, (except in *Worcester*, and when the Warp thereof is Spun upon the Rock or Distaff) in pain to Forfeit the Cloth, or the value thereof.

CLXXVII. None in the West-riding of *Yorkshire* shall make any Broad Cloths, Pewks, Tawnies, Violets or Greens, except the Wooll thereof, being first converted into Yarn, be first Dyed blue, of the value of 2 d. the pound, in pain to Forfeit such Cloth, or the value thereof.

CLXXVIII. Ordinary Kerseys shall contain in length (in the Water) betwixt 16 and 17 yards, (yard and inch) and being ordered, as aforesaid, shall weigh 19 pounds the Piece. And sorting Kerseys (so ordered) shall weigh 22 pounds.

CLXXIX. *Devonshire* Kerseys (ordered as aforesaid) shall weigh after the rate of one pound the yard.

CLXXX. *Wolsh* Cottons (in the Water) shall contain 3 quarters of a yard in breadth, and shall weigh one pound and a half the Goad, and being well Cottoned, shall weigh one pound at least.

CLXXXI. No Retailer of Cottons shall Dress it himself, or by any other, save only by a proper Dresser thereof, in pain to Forfeit for every Piece otherwise dressed, 6 s. 8 d.

CLXXXII. *Manchester, Lancashire,* and *Cheshire* Cottons, and *Manchester* Rugs and Frizes, may be divided into two half Pieces, and shall contain in length and breadth as by the said Statute of 5 & 6 E. 6. is ordained for the whole Piece.

CLXXXIII. If any Cloth or Kersey exceed the length prescribed by this or the said Statute of E. 6. then every yard so exceeding shall weigh according to the rate of the due length thereof, in pain to Forfeit for every yard not weighing after that rate, 5 s. And if any such Cloth or Kersey lack any of the due length, the Maker shall Forfeit for every pound wanting more than 4 pounds, 5 s. and for every pound under 4 pounds, 2 s.

CLXXXIV. If any Cloth or Kersey prove defective or ill wrought, the Maker thereof shall fix to each end thereof a Seal of Lead Engraven with this word *Faulty*, in pain to Forfeit such Cloth and Kersey, or the value thereof.

CLXXXV. If any by himself, or any other, counterfeit, set to, or take away any Seal appointed by this or the said Statute of E. 6. he shall incur such penalties as by the said Statute of E. 6. are limited.

CLXXXVI. The Borough or Corporation-Seal shall be set to Cloths, &c. being well made there; which Cloth so sealed, shall not be afterwards searched by the Searcher of any other Corporation or Borough.

CLXXXVII. Cloths and Kerseys made out of Corporations, shall be Sealed in the Town-Corporate.

CLXXXVIII. If any Searcher or Sealer set the Corporation-Seal to any Cloth, &c. defective in length, weight or breadth appointed by this, or that other Statute of E. 6. the Corporation shall Forfeit the value thereof.

CLXXXIX. The Searchers and Sealers may in the day-time enter into any House to search and try Cloth, &c. and may seise Cloths made of other colours than by the said Statute of E. 6. is appointed, (Friers-gray, Crane colour, Purple, and old Medly colours, used to be made 20 years last past, only excepted.)

CXC. None shall deny or withstand the Searcher or Sealer, in pain of 10*l*.

CXCI. No Searcher or Sealer shall in any Fair or Market search any Cloth, &c. which hath a Corporation-Seal affixed thereunto.

CXCII. Every Clause in the said Statute of E. 6. not repugnant to this Act, is confirmed.

CXCIII. None shall incur any Penalty or Forfeiture of any Offence limited by that Act, which is mitigated, or otherwise appointed by this.

CXCIV. Every Clothier shall cause the Letter *M* crowned to be wrought in each Cloth, in pain to forfeit 20*s*. for every Cloth not so marked.

CXCV. None shall Weave or Make, or put to Weaving or Making, any Cloth or Kersey, unless he hath been an Apprentice to, or Exercised that Art seven years before, in pain to Forfeit it or the value thereof.

CXCVI. The Penalties and Forfeitures of this and the said Act of E. 6. (not otherwise appointed) shall be divided betwixt the King and the Seiser, (where Seisure may be made) or otherwise betwixt the King and the Prosecutor.

* CXCVII. Stat. 8 Eliz. 6. For every nine Cloths unwrought, Transported by Licence, one shall be carried over well wrought, in pain to Forfeit for every nine Cloths otherwise Transported 10*l*. and the tenth Cloth shall be none of the Cloths Licensed.

CXCVIII. No *Kentish* or *Suffolk* Cloth shall be Transported unwrought by any Licence, in pain to Forfeit for every Cloth so Transported, 40*s*. and no Licence shall extend to any such Cloth.

CXCIX. The

CXCIX. The said Forfeitures shall be divided betwixt the King and the Master and Wardens of Clothworkers, for the relief of the Poor of that Company.

* **CC. Stat. 8 Eliz. 7.** He that uses the Trade of buying of Frizes, Cottons or Plains, shall not exercise the Art of Frizing or Cottoning, in pain to Forfeit for every Piece so used, 6s. 8d.

CCI. Those that use the Trade of buying *Welsh* Cloth or Linings, shall pay to their Workmen ready Money, in pain to lose their Freedom.

* **CCII. Stat. 8 Eliz. 12.** None shall put to sale in *Lancashire*, or carry out of that County any Cloth, Cotton, Frize or Rugg made there, before the Maker shall have fixed his Seal thereunto, and the Aulnager the Queens: whereof the Maker shall have on the one side his Mark, and on the other side the length of the Piece, being wet; and the Queen shall have a Portcullis crowned on the one side, and the weight of the Piece on the other side: in pain to Forfeit such Cloth, &c. to be divided betwixt the Queen and the Prosecutor.

CCIII. In *Manchester, Radcliffe, Bolton, Blackmore and Berry*, the Aulnager may appoint Deputies, and neither the Aulnager nor they shall Seal any Cloth, &c. before they be weighed, in pain to Forfeit 20s. for every Pack, to be divided betwixt the Queen and the Prosecutor.

CCIV. The Aulnagers Fee for weighing of a Packet of such Cloth, &c. is 3d. and for any quantity less than a Pack, an half-penny the Piece.

CCV. Every Cotton well wrought and fully dried, shall weigh 21 pounds, and shall contain in length 21 or 20 Goads, and in breadth 3 quarters, or within one nail thereof: also Frizes and Ruggs being well thicked and dried, shall weigh 44 pounds the Piece, and shall contain in length betwixt 35 and 37 yards, and in breadth 3 quarters, or within one nail thereof, and shall not be strained upon Tenters above one nail in breadth: and if the said Cloths exceed the said length, every goad or yard so exceeding shall weigh according to the same rate, in pain to Forfeit for every goad or yard not so weighing, 12d.

CCVI. If any the said Cottons, Frizes or Ruggs want of the said weights, the Party selling them shall forfeit for every pound lacking under three pounds, 12d. and for every pound above three pounds, 5s.

CCVII. All Acts heretofore made for the Sealing and Making of Cottons, Frizes and Ruggs, shall be void.

CCVIII. The Charters and Liberties of Towns-Corporate in *Lancashire* are saved.

CCIX. Stat. 23 Eliz. 9. Two Justices of Peace of the County, or the Head-Officer of a Corporation, shall command Logwood (which some deceitfully use for dying of Cloth) to be seised and openly burnt; and the Dyer that useth it shall Forfeit the value of the Cloth, Wooll, or other thing dyed therewith, to be divided betwixt the Queen and the Prosecutor. *Vide Customs. LXVIII & infr. Sect. 313.*

CCX. Nothing of the nature of Cloth shall be Maddered for a Black, except it be first Grounded with Woad only, or with Woad and Anele, *alias* Blue Inde, unless the Madder be put in with Shoomack or Galls: and who so doth otherwise, shall Forfeit the value of the thing so dyed, to be divided betwixt the Queen and the Prosecutor, and the Offender is to be Imprisoned until he pay it.

CCXI. Provided, it shall be lawful to Dye any manner of Gall black, Shoomack black, *alias* Plain black, wherein no Madder shall be used.

CCXII. The Dyer shall fix a Seal of Lead to the Cloth, &c. which he dyeth, with the Letter *M.* to shew it is Maddered and Woaded, in pain to Forfeit for every yard thereof, 3 s. 4 d. and the Seller thereof shall make it known that it is not Woaded, in pain to Forfeit the double value thereof, to be divided betwixt the Queen and the Prosecutor.

CCXIII. Stat. 27 Eliz. 17. None shall be hereafter charged by the Stat. of 5 & 6 E. 6. 6. nor of 4 & 5 P. M. for want of the breadth of 7 quarters in Cloths made in the Counties of Gloucester, Wilts, Somerset or Oxon, or others of like sort, so that they contain in breadth (being fully wet) 6 quarters and an half within the Lifts, unwrought and Lifted: but in case they want that breadth, the Makers thereof shall be chargeable with the Penalties imposed by those Statutes for want of 7 quarters breadth.

CCXIV. If narrow-listed Whites do not weigh 61 pounds, and broad-listed Whites 63 pounds, being well dressed and dried, the Clothier shall incur double such Penalties for every pound wanting, as by the said Stat. of 4 & 5 P. M. are ordained.

CCXV. Stat. 27 Eliz. 18. The Branch of the Statute of 5 & 6 E. 6. 6. which prohibiteth the putting of Hair, Flocks or Yarn made of Lambs-Wooll, into any Cloth or Frize, having regard unto the said Cloths called Plain White Straits, and pinned white Straits, shall be repealed.

CCXVI. The Inhabitants of Devon and Cornwall may weave and make the said Cloths, and use therein Hair, Flocks, and Lambs-Wooll, and keep three Looms in their Houses, and make such Cloths of such length, breadth and weight as the Merchant shall like, notwithstanding the said Stat. of E. 6.

CCXVII, Provided,

CCXVII. Provided, that no Piece of such Cloth shall weigh above 12 pounds, nor be above 14 yards long, or one yard broad, in pain to Forfeit the same, or the value thereof, to be divided betwixt the King and the Prosecutor.

CCXVIII. Stat. 35 Eliz. 9. None shall be hereafter charged by the Statute of 5 & 6 E. 6. 6. for want of the breadth of 7 quarters in broad Plunkets, Azures, Blues, and other coloured Cloths made in the County of Wilts, Gloucester and Somerset, or elsewhere; so that (being fully wet) they hold 5 quarters and an half within the Lists unwrought and Listed: but in case they want that breadth, the Makers thereof shall incur such Penalties as by the said Statute of E. 6. are appointed for want of 7 quarters breadth.

CCXIX. Howbeit, if the said Cloths, well dressed and dried do not weigh 68 pounds, the Clothiers offending therein, shall incur the double Penalties of the Statute of 6 E. 6. for want of weight.

* CCXX. Stat. 35 Eliz. 10. Every Piece of *Devonshire Kersey* or Dozen (as it comes from the Weavers Loom) shall weigh in open Market 16 pounds and upwards; and every Piece of Rugg and Wash Kersey made of Wooll (as it comes from the Sheeps Back, and from the Weavers Loom) shall weigh 17 pounds at least, and shall contain in length betwixt 15 and 16 yards (yard and inch of the Rule.)

CCXXI. The Weaver that weaves or makes any of the said Cloths of less weight or length, shall Forfeit for every quarter of a pound or quarter of a yard wanting, 12*d.* and they shall be sewantly woven throughout of well and like sorted Yarn, except the List.

CCXXII. The Weaver shall weave in his Mark at one end of the Kersey of some coloured Yarn, and also at each end Purrel, and shall not deceitfully mingle his Yarn, in pain of 10*s.*

CCXXIII. None shall put to sale any such raw Kerseys, before they be viewed, weighed, and marked, in pain of 10*s.* for every Cloth, to be divided betwixt the King and the Head Officer where the Offence is committed.

CCXXIV. Searchers and Sealers of such Kerseys shall be yearly appointed by the Head-Officer of the Place where they are made, who shall be sworn, and have power to enter into any House (in the day time) to make search accordingly, and shall have a Farthing for every Kersey they mark.

CCXXV. If the Searchers and Sealers be not yearly appointed, or do neglect their Duties, or offend in their Office, the Head-Officer shall Forfeit for every such Offence 20*s.* and for every Market-day there are not two or one Searcher at least, 40*s.*

CCXXVI. No Kersey shall be sold or dressed before it be tried and marked, in pain to Forfeit the same.

CCXXVII. None shall diminish the length of any such Kersey, in pain of 20 s.

CCXXVIII. The Forfeitures aforesaid (not before limited) shall be divided betwixt the King and the Prosecutor.

CCXXIX. Stat. 39 Eliz. 11. A Justice of Peace of the County, or Head Officer of a Corporation (being also a Justice of Peace there) have power to call before them, and examine the Servants of Persons suspected to use Logwood in Dying, and (if they shall find cause) to bind over to the next Quarter-Sessions both the Evidence and Party offending, and upon the Delinquents refusing to be bound, shall commit him to Prison till he find Sureties: they shall also certifie in at the same Session the Examinations by them taken, where if the Party offending be Convicted, he shall suffer the Pillory, and Forfeit 20 l. to be divided betwixt the Queen and the Prosecutor. *Vid. Customs 68. & infr. 313.*

CCXXX. Stat. 39 Eliz. 14. No Cards for Wooll shall be brought into this Realm, or Wales, to be sold, in pain to Forfeit them, or the value thereof, to be divided betwixt the Queen and the Prosecutor.

CCXXXI. Stat. 39 Eliz. 20. None shall stretch or strain any Cloths made on the North-side of Trent, in pain of 5 l. nor use any Engine to that purpose, in pain of 20 l.

CCXXXII. Northern Cloths shall be made of such weight, length and breadth, as by former Statutes are provided, upon the pains in the same Statutes contained.

CCXXXIII. A Seal of Lead shall be set to every Northern Cloth, expressing the length and weight thereof, in pain to Forfeit the same. And here the Offenders shall also Forfeit for every yard that it wants of due length, 4 s. and for every pound that it wants of due weight, 2 s.

CCXXXIV. Overseers shall be appointed and sworn in the County by two Justices of Peace, and in Corporations by the Head Officer, calling to him the next Justice of Peace, to make search once a month at least, for defects of Northern Cloths: and if they shall find any stretched, strained or sealed with any false Seal, they shall make Presentment thereof at the next Quarter-Sessions. And here, he that deceives or withholds any faulty Cloths, shall for the first Offence Forfeit 10 l. for the second 20 l. and for the third (being thereof lawfully Convicted by Verdict of two Witnesses) shall suffer the Pillory.

CCXXXV. The Overseer that refuseth to appear, or to undertake that Office, shall Forfeit 5 l. to be divided betwixt the Queen and the Officers that made him Overseer.

CCXXXVI. The

CCXXXVI. The Overseers shall fix a Seal of Lead to such Cloths, expressing the length and breadth of the same, together with the word *Searched*, which shall exempt them to be searched elsewhere.

CCXXXVII. If any (save the Overseers) set or take away a Seal to or from the said Cloths without Warrant, they shall Forfeit to the Queen for the first Offence 10*l.* and for the second, (being thereof lawfully Convicted by the Verdict of two Witnesses) 20*l.* and besides suffer the Pillory.

CCXXXVIII. Justices of Peace, Head-Constables and Overseers, shall search and seise Ropes, Winches, and other Engines used for the unlawful stretching of Northern Cloths, and none shall withstand them, upon the Forfeitures above mentioned for resisting the Overseers.

CCXXXIX. The Justice that shall be found negligent in the due execution of this Act, shall Forfeit 5*l.* And this and all other Forfeitures of this Act, shall be divided into three parts, whereof the Queen is to have one, the Informer another, and the Poor of the Place where the Offence is committed, the third. *See the Clauses following.*

CCXL. Justices of Peace have power to hear and determine these Offences in their Sessions, and Justices of Assise to convict the Justices of Peace that are negligent, upon proof of two Witnesses. But upon neglect of Justice by the said Justices of Peace, and Justices of Assise, the abovesaid Penalties are recoverable in any other Court of Justice. And in that case, the one half thereof shall go to the Queen, and the other to the Informer.

CCXLI. The Owner of Northern Cloths brought up to be sold in *London*, shall cause them to be brought to *Blackwell-hall* to be Searched dry without wetting, in pain of 40*s.* But here the Searcher shall not make his Search at such times when it may be a hindrance to the Owners Market, in pain of 5*l.* These Penalties are likewise given to the Queen and the Informer.

* CCXLII. Stat. 43 *Eliz* 10. None shall put any Hair, Flocks, Thrum-yarn made of Lambs-Wooll, or any other deceiveable thing, in Broad Cloth, Kersey, Frize, Dozen, Penystone, Cotton, *Taunton* Cloth, *Bridgwater* or *Dunster* Cotton (which *Dunster* Cotton shall be taken to be of the like weight, length and breadth as *Taunton* and *Bridgwater* Cloth, in pain to Forfeit such Cloth, Kersey, &c.) and none shall buy or procure any such deceiveable thing for that intent, in pain to Forfeit the same.

CCXLIII. None shall use any Engine to stretch the said Cloths or Ruggs unwrought in length or breadth, in pain of 20*l.* to be divided betwixt the Queen and the Prosecutor.

CCXLIV. None

CCXLIV. None shall set any wrought Woollen Cloth upon any Tenter or other Engine, to stretch the same, otherwise than as followeth, viz. the whole Broad Cloth one yard in length, and one half quarter in breadth; and the Kersey, Cotton, &c. one half yard in length, and one nail in breadth; in pain to Forfeit such Cloth, Kersey, &c.

CCXLV. Woollen Cloths shall not exceed the lengths appointed by former Statutes, in pain to Forfeit the same: Saving that Taunton, Bridgewater Cloths, and others, of like making, may weigh only 30 pounds; and Suffolk, Norfolk, Essex, and Northern Cloths shall be abated 4 pounds in the whole Cloth, and 2 pounds in the half Cloth.

CCXLVI. If any whole Cloth want above 3 pounds of the weight limited by the said Statutes, or a half-Cloth half so much, for every pound so wanting he shall Forfeit 10s. for 2 pounds 20s. for 3 pounds 40s. and so to Forfeit a double Penalty for every pound so wanting, unless he will yield the said Cloth, and then it shall be Forfeited.

CCXLVII. The Statute of 39 Eliz. 20. which gives power to Justices of Assize, Justices of Peace, and Head-Officers for Northern Cloths, shall extend also to Cloths made in other Countries.

CCXLVIII. Cloth Sealed by the Overseers (Authorized by 39 El. 20.) shall not be Searched or Tried again by any other Officer.

CCXLIX. The several Branches of 5 & 6 E. 6. 6. 4 & 5 P. M. 5. 27 Eliz. 17. & 35 Eliz. 9. which concern overlengths of Cloths, and the Clause of the said Stat. of 4 & 5 P. M. 5. which concerns Certificates of faulty Cloths, are repealed.

CCL. No Merchant shall take advantage of a Clothier for any defect in Cloth.

CCLI. All Acts heretofore made contrariant to this, are Repealed.

CCLII. Such as observe this Act, albeit they offend contrary to 39 Eliz. 20. shall not incur any Penalty inflicted by 39 Eliz. 20.

CCLIII. The Moiety of all Forfeitures (not otherwise hereby appointed) the Overseers or Finders shall have, and the Poor the other.

CCLIV. If any unwrought Woollen Cloth (after it is Transported) shall be found stretched contrary to this Act, the Merchant may return it at his own Costs, and shall recover Damages against the Maker or Seller thereof.

CCLV. Stat. 1 Jac. 1. 25. None shall incur any Penalty for want of length, breadth, or weight of Welsh Cottons, under the price of 15d. the yard, and 2s. the goad, so as they be not mixed with deceitful Stuff, nor for any other above that Price,

Price, except they be mixed, as aforesaid, or shall shrink above the rate of half a yard in 12 yards, or weigh less than 14 ounces the yard, or hold not full 3 quarters of a yard broad.

* CCLVI. Stat. 3 Jac. 1. 16. Ordinary Kerseys shall not exceed 24 yards in length, and (being fully dressed and dried) shall weigh 28 pounds and an half: And sorting Kerseys shall have the same lengths, and shall weigh 32 pounds and an half.

CCLVII. If any Piece of Kersey of the said several kinds exceed those lengths, or want of those weights respectively, the Maker shall Forfeit for every yard so exceeding, 5s. and for every pound so wanting, 2s. to be divided betwixt the King and the Prosecutor.

CCLVIII. The Custom and Subsidy of Kerseys 24 yards long, shall be as much as was paid before for a Piece of 18 yards, and a third part of such a Piece.

CCLIX. Stat. 3 Jac. 1. 17. None shall incur any Penalty for want of fixing a Content-Seal to *Welsh* Cottrons, neither shall any (save the Buyer) search or try them, in pain of 5l. to be divided betwixt the King and the Party grieved.

CCLX. Stat. 4 Jac. 1. 2. Every coloured Broad Cloth made in *Kent, Yorkshire, Reading*, and elsewhere, of like making (being thorow wet) shall contain in length between 30 and 34 yards (yard and inch) Standard-Measure, and 6 quarters and an half throughout within the Lists; and being well ordered and dried, shall weigh 86 pounds.

CCLXI. The length of white *Worcesters* (being wet) shall be between 30 and 33 yards, their breadth 7 quarters, and their weight 78 pounds.

CCLXII. The length of Plunkets, Azures, Blues, and long Whites (being wet) shall be between 29 and 32 yards, their breadth 6 quarters and an half, and their weight 80 pounds.

CCLXIII. Sorting Cloths shall contain in length betwixt 23 and 26 yards, be 6 quarters broad, and weigh 64 pounds.

CCLXIV. Fine short *Suffolks* shall contain in length between 23 and 26 yards, be 6 quarters and an half broad, and weigh 60 pounds.

CCLXV. Handy-warps shall contain in length between 29 and 32 yards, be 7 quarters broad, and weigh 76 pounds.

CCLXVI. Broad Plunkets, and other coloured Cloths made in the Counties of *Wilts* and *Somerset*, or elsewhere, of like making, shall be betwixt 26 and 28 yards long, 6 quarters and an half broad, and weigh 68 pounds.

CCLXVII. Short coloured Cloths made in *Yorkshire*, or elsewhere, of like making, shall be between 23 and 25 yards long, 6 quarters and an half broad, and weigh 66 pounds: and every

every half-Cloth or Dozen shall be made according to the same rate.

CCLXVIII. Broad-listed Whites and Reds shall contain between 26 and 28 yards in length, be 6 quarters and an half broad, and weigh 64 pounds.

CCLXIX. Narrow-listed Whites and Reds shall contain in length betwixt 26 and 28 yards, be 6 quarters and an half broad, and (being white) shall weigh 64 pounds, but Red, 60 pounds.

CCLXX. Fine Cloths, with Plain Cloths, shall contain in length between 29 and 32 yards, be 6 quarters and an half broad, and weigh 72 pounds.

CCLXXI. Cloths having Stop-lists, shall contain in length between 30 and 33 yards, be 7 quarters broad, and weigh 78 pounds.

CCLXXII. *Tauntons, Bridgwaters, Dunsters, &c.* shall contain in length between 12 and 13 yards, be 7 quarters broad, and weigh 30 pounds: and every narrow Cloth of like making shall be between 24 and 25 yards long, one yard broad, and weigh 30 pounds: and the half-Cloth of that kind shall contain the same breadth, and the length and weight ratably. And as touching such broad and narrow Cloths as are made in *Yorkshire* into Whites and Reds, the Broad Cloths there shall keep the same measures and weight; but the narrow is to contain in length between 17 and 18 yards, in weight proportionable, as aforesaid.

CCLXXIII. *Devonshire* Kerseys or Dozens shall contain in length between 12 and 13 yards, and shall weigh 13 pounds: and *Check* Kerseys, Streets and plain Grays, shall contain in length, between 17 and 18 yards, be one yard broad, and weigh 24 pounds.

CCLXXIV. Ordinary Penystones and Forest Whites shall contain in length between 12 and 13 yards, be 5 quarters and an half broad, and weigh 21 pounds; and sorting Penystones shall be between 13 and 14 yards long, 6 quarters and an half broad, and weigh 35 pounds.

CCLXXV. All *Cogware, Kendals* and *Carptmeals* shall be made to please the Buyer, and shall not be Searched, Sealed, or subject to other Penalty than such as was imposed thereon before 39 *Eliz.* so they shrink not above one yard in 20.

CCLXXVI. Kerseys called Washers, and Wash-whites (being half thicked) shall contain in length between 17 and 18 yards or (quarter thicked) between 18 and 19, and shall weigh 17 pounds.

CCLXXVII. None shall raise or row Woollen Cloth with Oyl, Grease, or the like, or use the same but upon the edge of the Sheers only, in pain of 13 s. 4 d. and it shall be wrought all alike throughout, upon the like pain; and the

Wooll thereof taken away only by the Sheers upon the same pain.

CCLXXVIII. None shall blow, spout or bedew Woollen Cloth near the Lifts thereof, with Water or otherwise, in pain of 13 s. 4 d. and if it be done to increase the weight, the Penalty is 40 s.

CCLXXIX. Abatement shall be made for the Dying, Dressing, Sheering and Rowing of Cloths, viz. for short Cloths 4 pounds, and long Cloths 5 pounds, and according to that Rate.

CCLXXX. Flannel, Wadnals, Coverlets and Blankets may be made as formerly they have been, notwithstanding this Statute.

CCLXXXI. None shall exceed the lengths aforesaid, in pain to forfeit for every yard and inch so exceeding 10 s.

CCLXXXII. If any sell Woollen Cloth wanting the weight aforesaid, he shall forfeit for every 2 pounds so wanting, 10 s.

CCLXXXIII. If any Cloth want the just breadth, the Seller thereof shall forfeit for such want through the whole Piece, 20 s. the half Piece 10 s. and for any less part, 5 s.

CCLXXXIV. If a Cloth be of less length than the Seal thereof doth purport, the Seller shall forfeit to the Buyer, 6 s. 8 d. for every yard and inch that so wants, besides the value of so much as so falls short.

CCLXXXV. Every Branch in any former Statute whereby any other length, breadth or weight of the said Cloths, or any other Penalty concerning the same, or any Offence (intended by this Act to be reformed) is limited, or whereby any Penalty for the Offence (in this Act mentioned) is given to any other Person than in and by this Statute is limited, shall be repealed.

CCLXXXVI. Cloth Sealed by the Overseers appointed by the Statutes of 19 Eliz. 20. and 43 Eliz. 10. shall not be searched, Tried, or Watered again, but only by the Buyer thereof.

CCLXXXVII. The Penalties for over-length or want of weight found by the Overseers, shall be divided betwixt the King and them; but if such Default shall be found by the Buyer, and not found and certified by the Overseers, then shall such Penalties be divided betwixt the King and such Buyer.

CCLXXXVIII. If any broad Woollen Cloth be longer or shorter than 24 yards and inches; the Duties for the same shall be proportionable, according to the length.

CCLXXXIX. Every Clothier may make any kind of Woollen Cloth in what place he pleaseth.

CCXC. The Kings Duties are reserved, as also the Aulnagers Office and Fees; so as Cloth once lawfully Searched and Sealed, shall not be Searched and Sealed again.

* CCXCI. Stat. 7 Jac. 1. 7. The Sorter, Carder, Kember, Spinster, or Weaver of Wooll or Yarn, that shall be found (by his own Confession, or the Testimony of one Witness) to imbezell or detain any part thereof from the true Owner, shall incur Whipping and the Stocks, to be inflicted upon them (in the Country) by any two Justices of Peace, and (in a Corporation) by the Head Officer and another joined with him.

And here also the Receiver thereof shall incur the like punishment, as also those in *Essex* which use a Reel less than two yards about.

CCXCII. But such Imbezeler may redeem his punishment by giving such satisfaction to the Owner as such Justice or Head Officer shall think fit.

CCXCIII. Stat. 7 Jac. 1. 16. Certain 'coarse Cloths made in the North shall not be Searched or Sealed, nor any Custom or Aulnage paid for them.

CCXCIV. Stat. 21 Jac. 1. 18. The Statute of 4 Jac. 1. 2. is continued, save what is thereof altered, repealed, discontinued, or enlarged by this.

* CCXCV. None shall put any Flocks, Thrumbs, Hair or other deceitful Stuff, into broad Woollen Cloth, in pain of 5*l.* to be distributed to the Poor where such deceitful Cloth is made.

CCXCVI. The Searchers or Overseers of Cloth may enter into, and make search in any House or other place, to find deceitful Cloth.

CCXCVII. Any two Justices of Peace may call before them any Person suspected for making deceitful Cloth; and if, upon Confession of the Party, or Testimony of two Witnesses, they shall find any guilty thereof, and make Certificate accordingly under their Hands and Seals to the Churchwardens and Overseers of the Poor of the Parish where the Offence is committed, those Officers shall Levy the Penalties forfeited by Distress and Sale of Goods, and for want of Distress the Offender shall suffer Imprisonment.

CCXCVIII. The Officer being Sued, shall be allowed to Plead the General Issue, &c. and shall recover double Costs.

CCXCIX. If Cloth be defective, the Searchers of the Parish where it is made shall certify it by their Seal, having the word *Faulty* Stamped upon it: And the Searchers that Search Cloth already Searched, shall forfeit 5*l.* to the Party grieved.

CCC. All Woollen Cloths shall be searched and sealed before they be sold.

CCCI. No Tenter for Broad Cloths made in *Yorkshire* shall have any farther place of liberty under bar than half a quarter of a yard: and the Overseers in those Parts shall upon the Penalties of their Recognisances make due Search for deceitful Tenters, and if any be found, shall deface them.

CCCII. He

CCCII. He that offends the second time in having such a Tenter, shall forfeit 45 s. to the Poor.

CCCIII. Every Overseer of Cloth shall (upon the like Penalty of his Recognizance) set his Name upon the Seal of Cloth, and Cloths otherwise Sealed shall not be allowed as sufficiently Sealed.

CCCIV. Pressing of Cloths between hot Planks, or by any heat of Fire, or other deceitful means, shall be punished by like Forfeitures as Pressing with the hot Press is punishable by any former Statute.

CCCV. A third part of all Penalties limited by this and former Statutes for want of length, breadth and weight, the Searchers that find and certify such Defaults shall have; and the rest shall be delivered to the Church-wardens and Overseers for the use of the Poor, for which they shall be accountable, as by the Statute of 43 E. 2. is provided.

CCCVI. Stat. 12 Car. 2. cap. 22. The Governors of the Dutch Bay-Hall in Colchester, and the Dutch People there, shall use and govern their Trade with like Immunities, and in as ample manner as at any time heretofore.

CCCVII. If any Weave in the said Town or Liberties thereof any Bay, and carry it not to the *Raw-Hall* within two days after to be Searched, or if any Fuller or Thicker receive such Bay before it be stamped, and marked there, they shall forfeit for the first Offence 40 s. to be Levied by Distress and Sale of Goods, to be accounted for to the Mayor and Commonalty, for the use of the Poor of that Town, if such Bay be made by an *English* Master-maker; if by a *Dutchman*, then to be disposed by the Governors of the *Dutch Bay-Hall*, for the Poor of that Congregation; and for the second Offence 5 l. to be Levied and Disposed *ut supra*: and for the third Offence shall not be permitted to work any more in the said Town and Liberties.

CCCVIII. Bays bought, or carried out of the Town before they are Searched, or offered to be carried out, shall be confiscated, the one moiety to him that will seize, the other moiety to the Poor of the Parish where seized.

CCCIX. Persons that counterfeit any Seals used by the said Corporation, or not being the Officer thereto appointed, and in the Place by them appointed, affix any Seals to *Colchester* Bays, shall for the first Offence pay to the use of the Governors of the said Hall, 20 l. and for the second Offence shall stand in the Pillory an hour, and for the third suffer as a Felon. And Bays carrying or carried out of *Colchester* without the Mark of the Maker, shall be forfeited.

CCCX. The Governors of the said Hall or their Officers, may in the day-time search Carts, Wagons, Packs, and with a Constable may search Houses, Shops, &c. where they are informed

Dureſs, Durham.

informed ſuch deceitful Bays are, and bring them to the ſaid Hall; which Bays ſhall be conſiſcate, and diſpoſed of as the Forfeitures to be paid by the Weavers and Fullers.

CCCXI. The Governors of the ſaid Hall may make By-Laws; but no ſuch By-Law in diminution of the Kings Prerogative, or the Law, ſhall be executed till approved by the Lord Chancellor, Lord Treafurer, or Chief Juſtice of either Bench, or any three of them, or both Juſtices of Aſſiſe in their Circuit in *Eſſex*, on pain to forfeit 20 *l*.

CCCXII. Stat. 13 & 14 Car. 2. cap. 5. For Regulating the making of *Norwich* Stuffs in *Norwich* and *Norfolk*. *Vid. Tit. Worſteds*.

CCCXIII. Stat. 13 & 14 Car. 2. cap. 11. The Statutes of 23 *El.* cap. 9. & 39 *El.* cap. 11. Repealed as to all Clauſes relating to the Prohibition or uſe of *Logwood*.

CCCXIV. Stat. 13 & 14 Car. 2. cap. 32. An Act for the better Regulating of the Manufacture of Broad Woollen Cloth within the Weſt-Riding of the County of *York*. This Act ſhall continue to the end of the firſt Seſſion of the next Parliament, and no longer. *Expired*.

CCCXV. Stat. 22 & 23 Car. 2. cap. 8. An Act to Regulate the making of *Kiddermiſter* Stuffs. *See the Stat. at Large*.

Dureſs.

I. Stat. 1 R. 2. 13. All Obligations forced by Dureſs upon Eccleſiaſtical Judges and others, whereby they are reſtrained from Suing for Tithes and other Duties in the Eccleſiaſtical Court, ſhall be void.

II. Such as falſly procure ſuch Judges or others to be Indicted, ſhall incur ſuch puniſhment as by *Weſt. 2. 12.* is ordained for falſe Appeals: *Which ſee in Appeals*.

Durham.

I. Stat. 7 E. 6. *Not Printed*. By this Act the Biſhoprick of *Durham* was diſſolved, and the King was to have all the Lands and the Hereditaments thereof: and another Act was alſo made the ſame year, cap. 10. whereby the Town of *Gateſide* was united to the Town of *Newcaſtle*: but both theſe Acts are Repealed by 1 *M. Parl. 2.* And by this Act the Biſhoprick of *Durham* is revived and erected, and thereby are annexed unto the County-Palatine all the Jurifdictions both Eccleſiaſtical and Temporal, as alſo the Town of *Gateſide*, and all Lands and Hereditaments before belonging to the ſaid Biſhoprick: and divers other Proviſions are therein contained concerning thoſe matters. *For which ſee the Statute at large*.

II. Stat.

II. Stat. 5 Eliz. 27. Fines Levied before the Justices of the County-Palatine of *Durham* (or one of them) of Lands lying in the same County, shall be good.

III. Stat. 31 Eliz. 2. 9 Writs up on Proclamations and Exigents against any Person dwelling within the County-Palatine of *Durham*, shall be directed to the Bishop of *Durham*, &c. with divers other Provisions for that County-Palatine: *For which see the Statute at large.*

IV. Stat. 25 Car. 2. cap. 9. The County-Palatine of *Durham* may have two Knights, and the City of *Durham*, two Citizens, to Serve in Parliament, to be chosen by the Kings Writ to the Bishop of *Durham*, or his Temporal Chancellor of the said County, and returned by the Sheriff into the Chancery of *England*, up on the like pains as be ordained for the Sheriffs of other Counties.

Ecclesiastical Jurisdiction.

* I. Stat. 37 H. 8. 17. **D**Octors of the Civil Law (albeit they be Laymen, and married or unmarried) may exercise Ecclesiastical Jurisdiction.

Egyptians.

* I. Stat. 22 H. 8. 10. If any calling themselves *Egyptians* do come into this Realm, they shall forfeit all their Goods, and being commanded, shall depart the Realm within 15 days, upon pain of Imprisonment. *But see here in the Statutes following a greater Penalty ordained.*

* II. Stat. 1 & 2 P. & M. 4. None shall Transport any lewd People, who call themselves *Egyptians*, into this Realm or *Wales*, in pain of 40*l.* And it shall be Felony (without Clergy) for them to remain above a month in *England* or *Wales*; neither shall they be Tried *per medietatem Linguae*, but by the Inhabitants of the County or Place where they are taken.

III. None shall Sue for any Licence or Passport for any *Egyptians* to stay in *England* or *Wales*, in pain of 40*l.* and such Licence or Passport shall be void.

IV. The Forfeitures aforesaid shall be divided betwixt the King and Queens Majesties, and the Prosecutor.

V. This Act shall not extend to charge Persons not above the age of 13 years, nor as accessory to any Offence contained in this Statute.

VI. Stat. 5 Eliz. 20. Any Person whatsoever consorting with *Egyptians* by the space of a month, shall be adjudged a Felon without Clergy.

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III. None shall Sue for any Licence or Passport for any *Egyptians* to stay in *England* or *Wales*, in pain of 40*l.* and such Licence or Passport shall be void.

IV. The Forfeitures aforesaid shall be divided betwixt the King and Queens Majesties, and the Prosecutor.

V. This Act shall not extend to charge Persons not above the age of 13 years, nor as accessory to any Offence contained in this Statute.

VI. Stat. 5 Eliz. 20. Any Person whatsoever consorting with *Egyptians* by the space of a month, shall be adjudged a Felon without Clergy.

VII. This Act shall not include Children within 14 years of age: neither shall any Person born in *England* or *Wales*, be compellable to void the Land by the Statute of 1 & 2 P. & M. but only to leave their lewd course of Life.

Election.

I. *West. 1. cap. 3. 2 E. 1.* None shall disturb any (by force of Arms, Malice or Menaces) to make free Election, in pain of great Forfeiture.

II. *Artic. cleri. cap. 14. 9 E. 2* There shall be free Election for the Dignities of the Church.

III. *Stat. 31 Eliz. 6.* If any Person or Persons having Election or Voice in the Nomination or Choice of any Person to have Place in any Church, College, School, Hospital, Hall, or other Society, shall take any Reward directly or indirectly, or any Promise or Assurance thereof directly or indirectly, for such their Election or Voice, that then such Place shall be void; and that then such Person as hath power to dispose thereof, may dispose of the same, as if the Person before Elected or Appointed, were actually dead.

IV. If any Person of such Societies take any Reward, or Assurance thereof, directly or indirectly for resigning such Place, the Party giving it shall forfeit the double value thereof, and the Party taking it shall be incapable of such Place; and then also the Party to whom such Place appertains may dispose thereof, as aforesaid.

V. At every Election this Statute, and the Statutes of the Society, which concern Election, shall be read.

VI. The Forfeitures of this Statute shall be divided betwixt the Queen and the Prosecutor.

VII. If Any Person, for any Reward or Assurance thereof directly or indirectly taken, do Present or Collate any Person to any Benefice with Cure of Souls, Dignity, Prebend, or Living Ecclesiastical, or give or bestow the same for any corrupt Consideration, every such Presentation, Collation, Gift, &c. bestowing, and every Admission, institution, Investiture and Induction thereupon, shall be void; and from thenceforth the Queen, her Heirs and Successors, may Present or Collate thereunto, or give or bestow the same for one Turn only.

VIII. None shall give or take such Reward, or take or make such Assurance, in pain to forfeit the double value of one years Profit of such Spiritual Promotion: and the Person taking such Promotion shall be disabled in Law to enjoy the same.

IX. If any Person for any such Reward or Assurance thereof (Lawful Fees excepted) Admit, Institute, Inſtal, Induct, In-

Invest or Place any Person in any such Spiritual Promotion, the Party so offending shall forfeit the double value of one years Profit of such Promotion, and the Admission, Institution, &c. shall be void; and then the Patron or other Person unto whom the next Gift appertains, may Present or Collate thereunto.

X. Howbeit no Lapse shall accrue upon such voidance, until six months after notice thereof given by the Ordinary to the Patron.

XI. If any Incumbent of any Benefice with Cure of Souls shall corruptly resign or exchange the same, or shall corruptly take for resigning or exchanging thereof, directly or indirectly, any Benefit whatsoever, both the giver and taker thereof shall lose the double value of the Benefit so had, to be divided betwixt the Queen and the Prosecutor.

XII. Penalties inflicted by the Ecclesiastical Law are not taken away by this Statute.

XIII. If any Person shall directly or indirectly take any Reward or other Profit or Assurance of the same (lawful Fees only excepted) to make a Minister, or to give Licence to Preach, he shall forfeit 40*l.* and the Party so made Minister, or Licensed to Preach, 10*l.* and if the Party so made Minister or Licensed be Inducted, Invested or Installed into any Benefice within seven years after, such Induction, &c. shall be void, and the Party having the Gift thereof may Present or Collate, as if he were dead.

XIV. The Forfeitures of this Act shall be divided betwixt the Queen and the Prosecutor.

Englishmen:

I. Stat. 14 & 15 H. 8. 4. All *Englishmen* sworn Subjects to any Foreign Prince, shall pay such Impositions as Aliens do.

II. Their Names shall be certified into the Chancery from *Holland, Zealand, Brabant and Flanders*, by the Governor of the Merchant-Adventurers there, and from other Parts by the Kings Ambassadors residing in those Parts.

III. An *Englishman* returning and dwelling again within this Realm, shall be restored to his Liberties.

England and Scotland:

I. Stat. 1 Jac. 1. 2. An Authority is given to certain Commissioners of both Houses of Parliament (named in the Statute) to Treat with certain Commissioners of *Scotland* concerning the Settlement of an Union and Peace between the Kingdoms of *England and Scotland*.

II. *Stat. 4 Jac. 1. r.* Laws of Hostility, and the Dependencies thereof between the two Nations, are Repealed: but this Act in that Point is not to take effect until the like be acted in Scotland.

III. None shall be troubled for any wrong done before the death of Queen *Eliz.* by the Laws of the Borders.

IV. Felonies committed by *Englishmen* in Scotland, shall be Tried in *Cumberland, Westmorland* or *Northumberland*, before Commissioners and Jurors of *England*: and here the Felon shall be admitted to have his Witnesses examined upon Oath; and the Prosecutor and his Witnesses shall by any Justice of Peace of any of those Counties, be bound by Recognisance to Prosecute and give Evidence, the Prosecutor first tendring such Witnesses their reasonable Charges.

V. Here also the Accessory shall be so Tried, albeit the Principal be not Convicted or Attainted, and neither Principal nor Accessory shall be allowed Clergy, or peremptorily challenge above five, and the Indictment shall be good notwithstanding the words *Contra Pacem, Coronam & Dignitatem nostras*, be omitted.

VI. No Sheriff or other Minister shall return any Juror upon such Trial, but such as have Free-hold worth *5 l. per annum* in the County where the Trial is had, in pain of *40 l.* for every Juror otherwise returned, to be divided betwixt the King and him that will Sue for it.

VII. Here the Offender shall not forfeit any Lands, nor have his blood corrupted, neither shall his Wife lose her Dower; but he shall forfeit all his Goods, Chattles and Credits.

VIII. The like Act being intended to be made in Scotland, when the like Offence is committed in *England*, by a *Scotchman*, afterwards fled into Scotland, Justices of Oyer and Terminer, Goal-delivery and Peace of *England*, have power to bind over by Recognisance both the Prosecutor and Witnesses, they being tendred their Charges, as before, to appear in Scotland upon the Trial: which Recognisance (upon failure) being certified into the Exchequer-Chamber shall by Decree there be made a Debt to the King.

IX. *Scotchmen* coming into *England* to Prosecute or give Evidence against an Offender in Scotland, shall be free from Arrests for any offence or cause whatsoever, except Treason and Murder, so long as they are in *England* for that purpose.

X. The Offence shall be alledged in the Indictment to be done in the Place where indeed it was done.

XI. He that is once Tried in Scotland shall not be again called in question for the same Offence, but his former Trial shall be a good Plea for him; unless by Certificate from Scotland some other Cause may be discovered.

XII. No

XII. No *Englishman* shall be sent out of *England* to be Tried in *Scotland*. But this is altered by the Statute following.

XIII. The Jurors, or the greater Part of them, may allow or reject any of the Witnesses of either Party, as they shall in their Discretions find cause.

XIV. Here the Trial of a Peer shall be by his Peers.

XV. Stat. 7 Jac. 1. 1. If an *Englishman* shall commit Felony in *Scotland*, and then fly into *England*, the Justices of Assize, or one of them, the Justices of Goal-delivery in their Goal-delivery, or four of them, or the Justices of Peace in Sessions, or four of them, may send the Offender into *Scotland* to be Tried: Howbeit this Act shall not take effect till another of the like nature (*vice versa*) be made in *Scotland*.

XVI. Stat. 16, 17 Car. 1. 17. An Act for the Confirmation of the Treaty of Pacification between the two Kingdoms of *England* and *Scotland*. See the Statute at large.

XVII. Stat. 16, 17 Car. 1. 18. An Act for securing by Publick Faith the remainder of the Friendly Assistance and Relief promised to our Brethren of *Scotland*. See the Statute at large.

XVIII. Stat. 19 Car. 2. Cap. 13. Twelve Persons to be nominated by the King, shall be Commissioners for this Kingdom, who, or five or more of them, after the 10th of January, 1667. and before the 25th of March, 1668. and so from time to time, may meet at such Place in *England* as the King shall appoint, with Commissioners for the Realm of *Scotland*, and Treat and Determine concerning the Liberty of Trade between the two Kingdoms, by Suspending Impositions, &c. charged since the 25th of March, in the 12th Year of the Kings Reign, upon Commodities of the Growth or Manufacture of either Kingdom, or of any of the *English* Plantations, or other Commodities Exported out of *England* into *Scotland*; their Determinations to be reduced into Writing under the Hands and Sea's of the Commissioners, and being Ratified by the King, shall be in Force for a Year from the Date of such Ratification, or to the end of the next Session of Parliament.

XIX. Stat. 22 Car. 2. cap. 9. Persons to be nominated by the King, under the Great Seal, or so many of them as shall be appointed to be of the *Quorum*, shall have power to Treat with Commissioners to be Authorised by the Parliament of *Scotland*, concerning an Union of the Realms, and such other Matters as they shall think fit, for the Kings Honour, and Good of both Kingdoms. Their Proceedings to be reduced into Writings or Instruments *Tripartite*, one part whereof to be Presented to the King, another to the Parliament of *England*, and a third to that of *Scotland*. Provided that nothing to be Agreed on by them

them shall be of Force till Confirmed by Act of the Parliament of England.

Engleschire.

I. Stat. 14 E. 3. Stat. 1. cap. 4. Presentment of Engleschire is clearly abolished.

Entry, and Writs of Entry.

I. Marlb. 29. 52 H. 3. When so many Alienations have been made, that the Writ of Entry cannot be made in the usual Form, the Plaintiff shall have a Writ to recover his Seisin without mention of the Degrees. *And this is called a Writ of Entry sur Disseisin en le Post.*

II. Gloucester, 7. 6 E. 1. If a Woman Alien her Dower in Fee or for Life, the Heir, or other Person to whom the Land ought to revert after her Death, shall immediately recover it by a Writ of Entry.

Entry lawful.

I. Stat. 32 H. 8. 33. Where a Disseisor dieth Seised of Lands, that Descent shall not take away the Entry of the Disseisee or his Heir, unless the Disseisor had peaceable Possession thereof five Years next after such Disseisin committed.

Error.

I. Stat. 5 E. 3. 2. *in fine*, & 10 E. 3. Stat. 2. 3. Where Error is made before the Kings Steward and Marshal, the Plaintiff may by Writ remove the Record into the Kings Bench, and may there have it redressed.

II. Stat. 31 E. 3. Stat. 1. 12. The Lord Chancellor and Treasurer, calling to them such of the Justices and other Sage Persons as they shall think fit, as also the Barons of the Exchequer (to give the Reasons of their Judgments) may examine Erroneous Judgments given in the Exchequer, and (if any Error be found) may correct the Rolls, to the end the Exchequer may proceed to Execution.

III. Stat. 23 El. 3. Fines and Recoveries, and all Matters concerning them now extant and in being, may be Enrolled, which Enrolment shall be of as great validity as the same so extant and remaining in being.

IV. No Fine, Proclamation or Recovery shall be reverfible for false Latine, Rasure, Interlining, Mis-entring, Mis-returning, not Returning, or any other Matter of Form, and not of Substance.

V. This

V. This Act shall not bar any from a Writ of Error upon any Fine or Recovery heretofore had and pursued within five Years after this Parliament, or which before the first of June, 1582, was Exemplified under the Great Seal; nor a Feme-covert, Infant, *non compos mentis*, one in Prison, or beyond Sea, so that they or their Heirs pursue such Writ within seven Years after such Imperfection, Restraint or Absence removed: And if any of them happen to die hanging the Suit, their Heir may undertake it within one Year after the said seven Years; and if the Heir be under Age, then within one Year after his full Age.

VI. The Day and Year of the acknowledgment of a Fine, and of the Warrant of Attorney for the suffering of a Recovery, shall be certified together with the Concord or Warrant; and none shall be enforced so to certify but within one Year after such Acknowledgment made, or Warrant given.

VII. No Officer shall receive any Writ of Covenant or Entry without the Day so certified, in pain of *5 l.*

VIII. No Attornment upon any Fine in a *Quid juris clamat, Quem redditum reddit*, or *Per qua servitia*, shall be Entred upon Record, unless the Party Attorning have first appeared in Court, or by Attorney warranted under the Hand of a Justice of one of the Benches, or of Assise. And every Attornment otherwise made shall be void without any Writ of Error, or other means to be used for the avoiding thereof.

IX. There shall be an Office for the Enrolments of Writs for Fines and Recoveries, and one of the Justices of the Common-Pleas (besides the Chief Justice) shall have the care thereof; and shall have for the Enrolment and Examination of every Fine with the parts thereof, *6 s. 8 d.* and as much for a Recovery, and the parts thereof, and for every Exemplification of them, *5 s.* and for the Search of every Year, *4 d.* and for every Sheet of a Copy (containing 14 Lines) *4 d.* and shall subscribe his Name to the Roll after he hath so Examined it, in pain of *5 l.*

X. The said Justice shall have power to punish the Officers who manage that Imployment by Fine or Amerciament, for their misprision or negligence therein, which shall be Estreated amongst the Fines and Amerciaments of that Court.

XI. The Chirographer shall the first Day of every Term fix in the Court of Common-Pleas a Table of each County, containing a true Content of the Fines passed in any one Term, and shall also deliver the like to each Sheriff, in pain of *5 l.* and the Sheriff shall fix it up in the Court at the next Assises, in like pain of *5 l.* The said Forfeitures are to be divided betwixt the Queen and the Prosecutor, and the Chirographers Fee for every such Content is *4 d.*

XII. The

XII. The Records shall not be carried out of the Office of Enrolments, and Fines and Recoveries already Passed and Exemplified shall not be afterwards amended.

XIII. Stat. 27 *El.* 8. Where a Judgment is given in the Kings Bench in Debt, Detinue, Covenant, Account, Action upon the Case, *Ejectione firma*, or Trespass, first commenced there (other than such where the Queen is Party) the Plaintiff or Defendant may Sue forth of the Chancery a Writ of Error, commanding the Chief Justice to cause the Record to be brought before the Justices of the Common Pleas and Barons of the Exchequer, into the Exchequer-Chamber; which Justices and Barons, or any six of them (being of the Coiff) have their power to Examine, Reverse or Affirm the said Judgments; other than for Error concerning the Jurisdiction of the Kings Bench, or for want of Form in any Writ, Return, Plaint, Bill, Declaration, or other Proceeding whatsoever: and after such Judgment Reversed or Affirmed, the said Record shall be remanded, that the Kings Bench may proceed thereupon as shall appertain: yet such Reversal or Affirmation shall not be so final, but that the Party who finds himself grieved may still Sue in Parliament, as before.

XIV. Stat. 31 *El.* 1. The not coming of the Chancellor and Treasurer at the day of Adjournment in any Suit of Error depending by force of 31 *E.* 3. Stat. 1. cap. 12. shall not be any discontinuance of the Writ of Error; but if both the Chief Justices, or either of those great Officers be there, it shall be no discontinuance: Howbeit, no Judgment shall be given therein, unless both those Officers be there present.

XV. Any three of the Justices of the Common Pleas or Barons of the Exchequer may receive Writs of Error, award Process thereupon, and prefix Days of continuance for such Writs, notwithstanding the Statute of 27 *El.* 8. but no Judgment shall be given therein without the full appearance of six, according to that Statute; and here also the Party that finds himself grieved, may Sue in Parliament, as before.

XVI. Stat. 16 *Car.* 2. cap. 2. The not coming of the Lord Chancellor and Lord Treasurer, or either of them, at the day of Return of any Writ of Error, by Virtue of the Statute of 31 *E.* 3. shall not abate or discontinue such Writ of Error; but if both Chief Justices, or either of them, or Lord Chancellor, or Lord Treasurer come, the Suit shall proceed.

XVII. Provided, that no Judgment shall be given in any such Writ of Error, unless both the Lord Chancellor and Lord Treasurer be present.

XVIII. Stat. 20 *Car.* 2. cap. 4. Judgment may be given in a Writ of Error in the Exchequer in the presence of the Lord Keeper of the Great Seal, notwithstanding the vacancy of a Lord Treasurer.

XIX. Stat.

XIX. Stat. 30 Car. 2. cap. 6. One Act made 17 Car. 2. cap. 8. (whereby amongst other things it was Enacted, that in all Actions, real, personal and mixt, the death of either Party between Verdict and Judgment, should not be alledged for Error, so as such Judgment be Entered within two Terms after such Verdict) shall be in Force for seven Years, and to the end of the next Session of Parliament.

Made perpetual 1 Jac. 2. cap. 17.

 Escape.

I. Quest. 1. 3. 3 E. 1. Nothing shall be taken for the Escape of a Felon until it be judged an Escape by the Justices in Eyre, in pain of restoring as much to the Party grieved, and as much also to the King.

II. Stat. 31 E. 3. Stat. 1. 14. The Escape of Felons, and the Chattels of Felons, Fugitives, and Clerks Convict, Adjudged by the Kings Justices, shall be Levied as they shall fall.

III. Stat. 1 R. 3. 3. Justices of Peace have power in Sessions to enquire of Escape of Felons.

Exchange.

I. Stat. 9 E. 3. 7. Exchanges shall be kept where it shall please the King and his Council.

II. Stat. 25 E. 3. Stat. 5. 12. Every Man may exchange Gold for Silver, or Silver for Gold, or for Gold and Silver, so that no Man hold the same as exchanged, nor take profit for such Exchange, in pain to Forfeit the Money so exchanged, except the Kings Exchangers, which take profit for such Exchange, according to the Ordinance before made. *Note, that this Statute is thus also recited in 5 & 6 E. 6. 19. Howbeit, the French Copy (instead of, So as no Man hold the same as Exchanged) hath it thus, Issint que nul home teigne come en Eschange; and so the mistake seems to be in the word Come, which should have been Comen. And Rastal in the first Edition of his Abridgment (which I have) renders it, Nul preigne reins pur Eschange d' Or pur Argent, ou e contra, sur pain de forfiter del Money issint change, forprise Changours l' Roy, queux pregneront selonque l' Ordinance en fait.*

III. Stat. 14 R. 2. Stat. 1. 2. For every Exchange the Merchant shall be bound in Chancery to buy (within three Months after such Exchange) Merchandise of the Staple to the Value of the Sum Exchanged, in pain to Forfeit the Sum.

IV. Stat. 11 H. 4. 8. The Statute of 14 R. 2. shall be duly executed, and the Lord Chancellor shall send the Estreats or Exchanges taken of Merchants into the Exchequer 15 Days: and

and the Barons there shall have power to examine the Customers in that case, and to punish them if they find them faulty. *But note that these two last Statutes are now out of use.*

* V. Stat. 5, 6 E. 6. 19. None shall give or take any more for the Exchange of Coin than the true Value thereof amounteth unto, in pain to Forfeit the Money so Exchanged, or suffer one Years Imprisonment, and to be Fined at the Kings pleasure; and the said Forfeiture is to be divided betwixt the King and the Seiser or Frosecutor.

Exchequer.

I. Stat. Scaccarii 31 H. 3. All Bailiffs, Sheriffs, the Justices of Chester, Receivers of Wards and Escheats, and other Officers, shall Account in the Exchequer to the Treasurers and Barons there; and all Sheriffs, Farmers, Bailiffs of Franchises, and others that ought to come to the Profer of that Court the Munday after Mich. and the Munday after the Utas of Easter, shall then pay in their Farms, Rents and Issues; and upon default they shall there remain until Payment or Agreement made for the same, and in case of absence, they shall be Amercied.

II. Then also shall the Sheriffs and Bailiffs pay in their Summons of the Exchequer, and be then also ready to make Account for the things aforesaid: And if the Bailiffs fail to do it, their Bodies shall remain in Ward of the Sheriffs, and the Sheriff shall Levy the Kings Debts by himself or his own Bailiffs, where the Bailiffs of the Franchises fail to do it.

III. The Justices of Chester shall have day to Account from Year to Year in Quindena Pasche, and the Bailiffs thereof in the Munday of Easter Utas.

IV. All Sheriffs (except of Westmorland, Lancaster, Worcester, Rutland and Cornwall) shall keep all Wards and Escheats belonging to the King, and shall be answerable for the Issues thereof in the Exchequer at the Terms aforesaid; and at their Turns they shall find Office of such things as belong to the King, and which are not used to be found before the Escheators, with as little grievance of the People as may be; and shall Seise such Escheats as fall to the King in Fee, and shall without delay certify the King thereof.

V. The King shall Assign three able Persons to survey and find yearly the Wards and Escheats aforesaid, which the Sheriffs shall Lett to Farm for the Kings best Advantage.

VI. The Sheriff of Cumberland shall be Escheator in Westmorland and Lancaster, the Sheriff of Nottingham in Rutland, the Sheriff of Gloucester in Worcester, and the Sheriff of Devonshire in Cornwall; and they shall safely keep the Kings

Kings Wards and Escheats in those Counties, and shall be answerable for the Issues thereof in the Exchequer, as well as for those of their own Counties.

VII. The said Surveyors shall approve and manage the Kings Demesnes, and shall be answerable for the Issues thereof, and the Farmers shall be chargeable to the principal Approvers, and they in the Exchequer yearly the *Munday after Ascension-day*.

VIII. Also the Collectors of the Custom of the Wooll shall Account and Pay yearly in the Exchequer at the two Terms aforesaid.

IX. The Keeper of the Kings Wardrobe shall also Account yearly at the Feast of *S. Margaret*.

X. The Treasurer and Barons shall prefer the taking of these Accounts before any other Business to be heard in Court, except it concern the Kings own Debt.

XI. One Sheriff shall not be received to Account during anothers Account, nor until the first Accountant have paid all his Money.

XII. The Constable, Marshal, Chamberlain, and other that are of Fee in the Exchequer, shall present to the King such as are of good Fame to execute their Offices, and for whom they will answer.

XIII. No Deputy-Officer (without the Licence of the Treasurer and Barons) shall be there received, unless he be sworn: and if he commit any Trespass, and be not able to satisfy the punishment inflicted, his Superior shall be answerable for it.

XIV. The Officers of the Wooll-staple shall make Oath to certify the Treasurer and Barons, or some of them (or, if need require, the King himself) of all Defaults and Offences committed in the Wooll-staple.

XV. About the Feast of *S. Margaret*, and before the close of the Exchequer, search shall be made whether any Sheriff or Bailiff have failed to Account that Year, and if any have, a Remembrance thereof shall be made in the Roll: and if it be a Sheriff, his Account shall be first heard after *Michaelmas*; but if a Bailiff, he shall be Summoned or Distrained to Account at a certain day.

XVI. The Surveyors of the Kings Works shall be chosen by the Oath of 12 Men, and of such as may best attend that Office, and are sufficient to answer to the King, if need be; and shall swear that they bear lawful Witness: and if the Treasurers or Barons suspect the Sale, allowance of Charges, or the like, the truth thereof shall be inquired, and he that is Attainted shall answer the King as much as the Allowance amounteth unto, shall suffer a Year and 40 Days Imprisonment, and be farther punished at the Kings pleasure; and the Surveyors

veyors shall be also punished for their consent. And here, he that concealed any thing wherewith he is chargeable, shall be punished as well as he that admitted such false Allowances.

XVII. All Justices, Commissioners and others, shall deliver into the Exchequer yearly after *Michaelmas*, the Estreats of Fines and Amerciaments Taxed before them, and the Exchequer shall Estreat them out in the Summons to all Counties, except the Estreats in *Eyre*, which shall be delivered immediately after the *Eyre* made.

XVIII. *Stat. de Rutland. 10 E. 1.* From henceforth the Bodies of Shires shall not be written in several Rolls, but in a certain Annual Roll by themselves, which shall be read every Year upon the Accounts of Sheriffs.

XIX. The remnants of the Firms shall be written by later Dates in the Annual Rolls, and the Sheriff shall be charged therewith; in which Remnants, Liveries, Alms assigned, and other Allowances (if Sheriffs have had any) of the Issues of their Bailiwicks by the Kings Writs, shall be allowed: And to the end the King may not be abused in such Allowances, the Treasurer and Barons shall certify to the Chancellor the due Allowances, and the Writs of Allowances shall be made according to such Certificate.

XX. Also in those Annual Rolls shall be written the Sheriffs Terms, the Profit of Counties, the Firms of Serjeants, Asserts, Cities, Boroughs, Towns, and other Firms, whereof there is Answer yearly made in the Exchequer. In them likewise shall be written all Debts determined, gross Debts, and all other Debts that seem to be clear: Howbeit, new Duties shall not be written therein, but those Debts whereof there is hope of Payment, and whereof the Sheriff is answerable, and Debts found in the Originals.

XXI. Of dead Firms and desperate Debts whereof there is no hope, one Roll shall be made, Intituled, *Comitatus*, and shall be read yearly upon the Sheriffs Account; and the Debts there, whereof the Sheriff is answerable, shall be writ in the Annual Roll, and there shall be acquitted.

XXII. Tallies already paid, and not allowed, but charged in the Summons of the Exchequer, shall, after Proclamation, be delivered to the Sheriffs, to be allowed upon their Accounts; and two faithful Knights in every County shall be present at the delivery of such Tallies, which shall be delivered by Indenture betwixt the Knights and the Sheriffs, which Knights shall send their Part to the Exchequer at the Sheriffs Account: And if the Tallies be not so delivered, as aforesaid, the Party failing shall be chargeable with the Debt.

XXIII. In-

XXIII. Inquisitors shall be appointed in every County, what Debts, and what part thereof are paid; and what not; which Inquisitors shall certify the Persons convict to have received them; and thereupon examination thereof shall be made in the Exchequer, and the Rolls rectified accordingly.

XXIV. The Chamberlains of the Exchequer shall not make to Sheriffs or Bailiffs Tallies or *Dividends*, unless they first receive of them Writings concerning the particular Sums of the Actions of Debts, and the Names of them that paid them, unto which Particulars he may put the Names of such *Dividends*, which being so received under their Seals, they shall not be afterwards numbered into other Particulars.

XXV. When *Nichils* are returned by the Sheriff, they shall be Estreated into Rolls, and delivered unto circumspect Men to be enquired of, as the Treasurer and Barons shall direct.

XXVI. No Suit shall be prosecuted in the Exchequer-house, unless it concerns the King and his Officers there.

XXVII. Stat. 37 E. 3. 4. The Clerks of the Remembrance shall sit against the Clerk of the Pipe, to take notice of, and inbreviate all Discharges in the Pipe, to the end that Process may thereupon cease: also upon such Discharge the Summons of Pipe shall be withdrawn.

XXVIII. Stat. 1 R. 2. 5. All former Statutes made concerning the Officers of the Exchequer shall be firmly kept.

XXIX. If any Officer there make out a Process for a Debt already paid, he shall lose his Office, be imprisoned, and make Gree with the Party at the discretion of the Treasurer and Barons.

XXX. Stat. 5 R. 2. Stat. 1. 9. Every Person Impeached in the Exchequer, may plead there in his own Discharge.

XXXI. Stat. 5 R. 2. Stat. 1. 11. Accounts in the Exchequer shall be Heard, Made and Ingrossed more speedily than they were wont.

XXXII. Stat. 5 R. 2. Stat. 1. 12. Two Clerks shall be assigned and sworn to make parcels of Accounts in the Exchequer, and shall be recompensed for their pains as the Barons shall think fit.

XXXIII. Stat. 5 R. 2. Stat. 1. 13. No Accounts of *Nobils* shall be admitted but upon Oath and Examination of the Officer, who upon such Oath shall be discharged thereof, saving the Kings Right.

XXXIV. Stat. 5 R. 2. Stat. 1. 14. The Clerk of the Pipe and the two Remembrancers shall be sworn to make due Entry (every Term) of all Writs for the Discharge of any Person. And the Remembrancers shall also be sworn to make a Schedule (every Term) of such as shall be so discharged, and to deliver it to the Clerks of the Pipe, to the end they may also be discharged in the great Roll. And the Clerk of
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the Pipe shall also be sworn to require such Schedules, and to deliver like Schedules to the Remembrancers of such as shall be discharged in his Office.

XXXV. Stat. 5 R. 2. Stat. 1. 13. If a Judgment of Livery given in any other Court, shall be sent into the Exchequer, the Remembrancer in whose Office such Account shall be demanded, shall not issue new Process thereupon, but shall cause it to cease by an Indorsement upon the Writ.

XXXVI. Stat. 5 R. 2. Stat. 1. 16. The Clerks Fee for making of a Commission or Record of *Nisi prius* in the Exchequer shall be only 2 s.

XXXVII. Stat. 13 R. 2. Stat. 1. 14. Recognisances or Bonds of the double made in the Exchequer for the Kings Debts shall be void: provided the King be secured his Duty the usual way.

XXXVIII. Stat. 1 Jac. 1. 26. Issues lost, which by Queen *Eliz.* Orders made in the 15th year of her Reign, ought to be remitted, shall from henceforth be discharged in the Exchequer.

XXXIX. If the Treasurers Remembrancer, or any Officer under him, observe not the said Orders, they shall Forfeit 20 l. to be sued for within Two years, and to be divided betwixt the King and the Party grieved.

XL. No Process to do Homage and Fealty, or Fealty only, or Writs of *Scire facias*, *Capias*, or Distress for Fines Estreated out of the Common-Pleas, shall issue out of the Remembrancers Office upon supposal only, upon the pains provided by former Laws and Orders of the Exchequer, but it must be upon just ground: and if it appear there that a Tenure hath been Traversed, the Process shall be Discharged by such Traverse without Pleading.

XLI. Upon the Estreat of the Original of the Chancery of the first Grant of any Lands holden in chief, by Knights Service, or Soccage in chief, or of any Licence or Pardon of Alienation, *Ouster le main*, general or special Livery, or the Enrolment of any of them, Process shall be made only for the Services due thereupon, and the Parties shall be admitted without Pleading, paying the Fine, as hereafter is expressed.

XLII. Here where the first Tenant is returned *Mort*, or *Nihil habet*, then shall issue out a *Distring. tenent.* for the Tenant or Tenants to do his or their Service; against whom after he or they are known, Process shall issue out every Term without Issues to be lost, until they come to shew their Entry, make Fine, &c.

XLIII. If a Grantee of an Inheritance or Free-hold in Lands holden in chief or by Knights Service, have a Licence of Alienation, and bring it to the Treasurers Remembrancer, it shall be received

received and enrolled without Plea: so likewise shall a Livery general or special, or *Ouster le main*.

XLIV. Where any Writ of Reversion shall be made upon any Record for Lands wherein the Prince is in Reversion, the Party upon shewing a Record testifying so much, shall be discharged without Plea.

XLV. Where two Manors in one County have the same Name, if that of them be charged which ought not, the Issues out shall be saved, and the Party discharged without Plea.

XLVI. Issues lost by any which are returned Tenants of Lands which they have not, shall be discharged.

XLVII. Issues lost upon a Ward under age shall be discharged; so also shall those returned upon the Committee of a Ward.

XLVIII. Issues lost upon Lands in the Queens Hands by Extent, shall be discharged; so also shall those returned upon Tenants for life, year, or at will, or upon Tenants of Lands in chief by Extent.

XLIX. Issues lost by untrue Returns or Mis-returns by Sheriff, shall be discharged.

L. Issues lost upon any former Grants of Lands in chief, and now not holden, shall be discharged.

LI. Issues lost by being returned upon a Jury, when the Party at the time of his appearance was in Prison, beyond Sea, or in the Queens Service, shall be discharged.

The Exchequer-Fees for respect of Homage.

The value of the Land.		The Queens Fee.		The Re membran cers Fee.		The Entry.		The Attorneys Fee.	
li.		li.	sh.	d.	sh.	d.		sh.	d.
A 100	ad	60	10	00	01	08	00 04	By some	03 04
A 60	ad	30	06	08	01	08	00 04	By some	01 08
A 30	ad	20	05	00	01	08	00 04	By some	00 00
A 20	ad	15	03	04	01	08	00 04		1. sh. d.
A 15	ad	10	02	00	01	08	00 04	By some	02 00 00
A 10	ad	10	m.	01	08	01	08 00 04	volunta-	01 00 00
A 10	m. ad	5	li.	01	00	01	00 00 04	ry annu-	00 13 04
A 5	li. ad	3	li.	00	08	00	08 00 04	ities for	00 10 00
A 3	li. <i>infr.</i>	00	04	00	04	00	04 00 04	all mat-	00 06 08
								ters.	00 03 00

These never lose Issues, but have their Fines paid, whether they come or nor.

LII. The Treasurers Remembrancer shall satisfie every Subjects Charges that shall be vexed upon a supposal to be set by the Court: so also shall his Clerks pay the Issues lost, when the Subject hath duly paid his respect of Homage, to be proved by the Acquittance.

LIII. The Treasurers Remembrancer may by Order of the Exchequer, issue out Process for the Discovery and Preservation of Tenures, notwithstanding this Act: Howbeit, no such Tenure appearing, the Party shall be discharged without Plea or Fee.

LIV. Stat. 19 Car. 2. cap. 12. All Persons to whom any Money shall be due in the Exchequer, and shall have any Order Registered in the Office of the Auditor of the Receipt for Payment thereof, by Endorsement of their Order, may transfer the Benefit thereof, or of any part thereof to any other. Which being Notified in the Office of the Auditor of the Receipt, and Entry thereof made, shall entitle such Assignee to the Benefit thereof. And it shall not be in his power, who made the Assignment, to release the same.

LV. In case of an Assignment of any Sum, not exceeding One hundred pounds, the Auditor of the Receipt shall not take above Six pence for himself and his Clerks, for making an Entry thereof. And for any Sum above 100 l. he shall not take above Twelve pence.

LVI. This Act shall continue till the Tenth day of September, 1674. and to the end of the Session of Parliament then next ensuing, and no longer.

LVII. Stat. 1 Jac. 2. cap. 17. *The Act last above-mentioned continued for seven years, and from thence to the end of the next Session of Parliament. Continued from 13 Febr. 1692. for seven years, and to the end of the next Session after, per Stat. 4 & 5 W. & M. Sess. 4. cap. 24. §. 7.*

Escheators.

I. Stat. 14 E. 3. 8. Escheators shall be chosen by the Chancellor, Treasurer and Chief Baron, calling to them the two Chief Justices, as Sheriffs use to be chosen: and they shall not continue in their Office above one year.

II. Stat. 34 E. 3. Stat. 1. 13. Every Escheator shall take his Inquests of good and lawful Men, well inherited, and of good fame, and inhabiting the County where the Inquiry is made: and the Inquest so taken shall be indented between him and the Jurors; otherwise they shall be void. The Inquests shall also be taken in good Towns openly, and not privily.

III. Stat. 34 E. 3. Stat. 1. 14. Traverses of Offices found before the Escheators shall be Tried in the Bench.

* IV. Stat.

* IV. Stat. 36 E. 3. Stat. 1. 13. An Escheator shall have no Fee of the Lands of the Kings Ward, neither shall he commit any Waste therein, in pain of Forfeiting treble Damages at the Wards own Suit, or by his Friends. The same Law is also of other Land seised by Inquest of Office.

V. Land seised into the Kings Hand by an Escheator, shall be Let to Farm by the Chancellor to him which tendreth a Traverse to the Office.

VI. Inquests shall be taken openly and by Indenture, as aforesaid: and if the Escheator do contrary to this Act, he shall suffer two years Imprisonment, and be Ransomed at the Kings Will,

VII. Stat. 42 E. 3. 5. None shall be Escheator unless he have 20 l. of Land at least in Fee: he shall execute his Office in proper Person, and upon the putting in of another, his Office determines.

VIII. Stat. 8 H. 6. 16. No Escheator or Commissioner shall take any Inquests but such as are Impannelled by the Sheriff of the County within which he bears that Office: in pain of 40 l. to be divided betwixt the King and the Party grieved.

IX. Lands seised by the Escheator shall not be Let to Farm before the Office be fully returned, and then they shall be Let to him that tendreth a Traverse to the Office, he finding Surety to Prosecute it with effect, and to answer the Profits in case he cannot maintain the Traverse: but then he must tender his Traverse within a month after the Return.

X. The Escheator or Commissioner shall return the Office within a month, in pain of 20 l. to be divided betwixt the King and the Prosecutor.

XI. Stat. 18 H. 6. 6. No Lands shall be granted before the Kings Title thereunto be found by Inquisition, nor within a month after, unless it be to him that tendreth his Traverse, as aforesaid.

* XII. Stat. 18 H. 6. 7. The Escheator shall return an Office found before him, into the Chancery or Exchequer, within one month after the taking thereof, in pain of 40 l. given by the Stat. of 8 H. 6. 16. and besides to answer so much to the King as he is damnified for not returning the same.

XIII. Stat. 23 H. 6. 17. The Escheator shall take his Inquest within one month after the delivery of the Writ unto him, and that in some good Town openly.

XIV. He shall not take above 40 s. for the Execution of one Writ in one County, and that only when his Labour and Costs require it, otherwise he ought to take less: and

all this in pain of 40 *l.* to be divided betwixt the King and the Prosecutor.

XV. If any will Traverse an Office, no Protection shall lie for the Patentee: and concerning the Demise of the Lands to him that tenders a Traverse, the Stat. of 36 *E.* 3. 13. 8 *H.* 6. 16. & 18 *H.* 6. 6. shall be duly observed.

XVI. Stat. 12 *E.* 4. 9. None shall take upon him to be an Escheator, or Deputy to an Escheator, unless the Escheator himself hath Free-hold within the County worth 20 *l.* *per annum*, in pain of 40 *l.* to be divided betwixt the King and the Prosecutor.

XVII. His Deputy or Farmer shall be a sufficient Man, and shall certifie into the Exchequer his Deputation within 20 days next after it is made, upon the like pain of 40 *l.* to be divided, as aforesaid.

XVIII. Justices of Peace in Sessions have power to hear and determine these Defaults, and give Judgment for the recovery of the said Forfeitures.

XIX. This Statute shall not restrain Corporations which have power by their Charter to appoint Escheators.

XX. Stat. 1 *H.* 8. 8. No Office shall be returned into any of the Kings Courts, but such as is found by Jury, in pain to forfeit 5 *l.* to the Party-grieved.

XXI. The yearly Revenue of an Escheator or Commissioner shall be 40 Marks in Free-hold in the same County, so that they shall not execute any Writ unless they have Lands of that value, in pain of 20 *l.* and the Commissioner (not having such an Estate) may refuse to sit, and shall be discharged upon Oath without Fine or Fee.

XXII. They shall sit in open Places according to former Statutes, and shall take their Evidence openly, in pain of 40 *l.*

XXIII. Here, if the Sheriff return a Juror not having 40 *s.* *per annum* Free-hold in the same County, he shall forfeit 5 *l.*

XXIV. The Inquisition shall be taken by Indenture, whereof one part shall remain with the Fore-man, and the other part is to be delivered by the Commissioners or Escheator into the Petty-Bag Office, from whence it is afterwards to be transcribed into the Exchequer: and the Jurors shall present by Indenture, in pain to forfeit 20 *s.* apiece. The Escheator also, or the Commissioners, or some of them, shall receive the Jurors Presentment without delay, in pain of 5 *l.*

XXV. The Officer in the Petty-Bag shall File the Office within three days after receipt thereof, in pain of 40 *l.*

XXVI. The Officer in the Exchequer that refuseth to receive an Office upon tender, shall forfeit 40 *l.* and then the Escheator or Commissioners shall be discharged of their Forfeiture of 40 *l.* for not returning the Officer within a month, so that they return another into the Chancery or Exchequer,

(as

(as the Cause requires) within a Month after that first Month.

XXVII. The Clerk of the Petty-Bag shall send a Transcript of the Office into the Exchequer the next Term after he receives it, in pain of 5 l.

XXVIII. None shall be Escheator above a year, nor within three years after: and the abovesaid Forfeitures of 5 l. the Party grieved shall have, but the rest shall be divided betwixt the King and the Prosecutor.

XXIX. This Act shall not restrain such as by reason of any Franchise, Prescription or Grant, may depute Escheators, but that such Escheators may hold their Office above a year.

XXX. Neither shall the Branch of this Act concerning the yearly value of Estates of Escheators and Jurors extend to Corporations or Privileged Persons and Places, the Counties Palatine of Lancaster and Chester only excepted.

XXXI. Neither shall this Act extend to prejudice Justices of Peace for doing any thing which concerns the Commission of Peace.

XXXII. Stat. 1 H. 8. 10. Lands seised into the Kings Hands upon an Inquest of Office, shall be Let to Farm to him that tendreth to Traverse the same, within three Months after such Office found, notwithstanding the Statute of 1 H. 6. 16.

XXXIII. Stat. 33 H. 8. 22. He that is certified in the Chancery by the Treasurer to be Escheator, shall within one Month take upon him the Office, or shew cause in the Exchequer why he doth it not, in pain of 20 l.

XXXIV. The Escheator shall not sit *virtute Officii* where the Lands be 5 l. *per annum* or above, in pain of 5 l.

XXXV. The Escheator shall forfeit 5 l. if he take for the finding of an Office of Lands that exceed not 5 l. *per annum* above 15 s. viz. for his own Fee 6 s. 8 d. for writing the Office 3 s. 4 d. for the Juries Charges 3 s. and for the Officers above that are to receive the Office 2 s.

XXXVI. The Officers appointed to receive Inquisitions, shall receive them upon tender, within a Month after their finding, in pain of 5 l.

XXXVII. The abovesaid Forfeitures shall be divided betwixt the King and the Prosecutor.

XXXVIII. Stat. 2 & 3 E. 6. 8. The Estates and Interest of others shall be saved, though they be not found in the Office.

XXXIX. Where an Heir of full age is found within age, he shall have a Writ of *Etate probanda*, and may proceed to Sue out his Livery, or *Ouster le main* (as his Case is) and receive the Profits of his Lands, notwithstanding such Office found.

XL. Where after the Kings Tenants death more Heirs than one are found, or if one untruly be found a Lunatick, Ideot, or dead, the Party grieved may have his Traverse, as in other cases of untrue Inquisitions.

XLI. A Traverse, or *Monstrans de droit*, is given without Petition, though the King be entitled by double Matter of Record.

XLII. When the Jury finds *De quo vel de quibus*, &c. ignorant, or *Per qua servitia ignorant*, the first shall not make a Tenure of the King, nor the last a Tenure in Capite, but in such a case a *Molius inquirendum* shall issue forth.

XLIII. Traverse given to an Office, where a wrong Tenure is found.

XLIV. The Rents of mean Lords shall be paid (during the Nonage of the Ward) by the Officer that receives the Revenue of Wards Lands.

XLV. This Act shall not extend to Inquisitions taken before the 20th of March, 1548.

XLVI. Upon every Traverse a *Scire facias*, or two Writs of Search shall issue forth, viz. the first against the Kings Patentee, and the other when by the Common Law the Party grieved was put to his Petition.

XLVII. Notwithstanding a Traverse, the Kings former Right shall be reserved.

Essoign.

I. *Marlbz. 13. 52 H. 3.* After Issue joyned in Dower, *Darrein Presentment*, or *Quare impedit*, one Essoign or one Default only shall be allowed; and if the Party come not at the day given, or make Default the second day, the Inquest shall be taken, and Judgment given.

II. If the Inquest be taken in the County before the Sheriff or Coroners, it shall be returned before the Justices at a certain day; when if the Party appear not, another day shall be assigned by the Justices, and then shall issue a Command to the Sheriff to cause the Party to come to hear the Judgment; when if he come not, the Justices shall proceed to Judgment. In like manner it shall be done if he come not at the day given by the Essoign.

III. *Marlbz. 19. 52 H. 3.* In Counties, Hundreds, Courts-Baron, or other Courts, none shall need to swear to warrant his Essoign.

IV. *West. 1. 42. 3 E. 1.* In Assise, Attaints, and *Juris utrum*, after appearance the Tenant shall not be Essoigned.

V. *West. 1. 43. 3 E. 1.* Parceners or Tenants joyntly Enfeoffed, shall not Fourch by Essoign.

VI. *West.*

VI. West. 1. 44. 3 E. 1. Essoign *ultra mare* shall not be allowed, but shall be turned into a Default, if the Demandant will prove that the Tenant was within the four Seas the day of the Summons, and three weeks after. Howbeit, this is only to be done before Justices.

VII. Gloucester. 10. 6 E. 1. The Husband and Wife being Impleaded, shall not Fourch by Essoign.

VIII. West. 2. 12. 13 E. 1. There shall be no Essoign for any Appellant.

IX. West. 2. 17. 13 E. 1. In the Circuit of the Justices an Essoign *De malo lecti*, lieth not for Lands in the same County, unless the Party be sick indeed: for if at the Instance of the Demandant it be proved by Inquest that the Tenant is not sick, the Essoign shall be turned to a Default.

X. Neither shall such an Essoign lie in a Writ of Right, between two claiming by one Descent.

XI. West. 2. 27. 13 E. 1. An Essoign may be allowed at the next day after Inquest, but none at any of the other days following, nor after day given *prece partium*.

XII. West. 2. 28. 13 E. 1. In Assise after appearance, the Demandant shall not be Essoigned.

XIII. Stat. Of Essoigns, 12 E. 2. Essoigns do not lie in the ensuing Cases: Where the Land is taken into the Kings hands; where the Party is Distrained by his Lands; where any Judgment is given thereupon; if the Jurors come; where the Party is seen in the Court. Essoign *ultra mare* lieth not where the Party hath had before an Essoign *De mal venir*: it lieth not where the Party hath Essoigned himself another day; where the Sheriff was commanded to make the Party to appear. Essoign *De servitio Regis* lieth not where the Party is a Woman; it lieth not in a Writ of Dower, or, because the Plaintiff hath not found Pledges; it lieth not where such a Mans Attorney was Essoigned; where the Party hath an Attorney in his Suit; where the Essoigner confesseth that he is not in the Kings Service; where the Summons is not returned, or the Party not Attached; upon *Non est inventus* returned; where the Party was before Essoigned *De servitio Regis*, and had not put in his Warrant; where the Party hath been re-summoned in Assise of Mortdancesfor, or Darrein Presentment: it lieth not because such a one is not named in the Writ; nor where the Sheriff hath a Precept to Distrain the Party to come by his Lands and Goods; nor where the Bishop was commanded to cause the Party to appear; nor for that the day is past.

XIV. An Essoign *De servitio Regis* is allowed after the Grand cape, Petit cape, and Distresses taken upon the Lands and Goods.

XV. Stat.

XV. Stat. De visu Terra. An *Essoign De servitio Regie* lieth not in a Writ of *Novel Disseisin*, *Dower*, *Darrein Possessionment*, or *Appeal*. *Vide Rast. Essoign 13.*

Estates for Lives.

I. Stat. 19 Car. 2. cap. 6. If Persons, for whose Lives Estates are granted, remain beyond Sea, or absent themselves in this Realm, seven years together, and no evident Proof be made of their Lives in any Action commenced by the Lessors or Reversioners, for recovery of such Tenements, they shall be accounted as dead. And in such Actions the Lessor or Reversioner may take exception to a Juror, that the greatest part of his real Estate is held by Lease or Copy for Lives.

II. This Act shall not extend to Lands held by the Lives of any Persons Attainted for the Murder of the late King, which have been vested in the King, and are now granted to the Duke of York.

III. If after any Persons shall be evicted by virtue of this Act, the Persons upon whose Lives such Estates depend, shall return from beyond Sea, or on proof in any Action for the same be made appear to be living, or have been living at the time of the Eviction, the Tenant who was oured, his Executors, &c. may enter, &c. and upon Action against them that received the Profits, recover for Damages the full Profits with lawful Interest.

Estreplement.

I. Gloucester, 13. 6 E. 1. No Waste shall be made hanging a Suit for the Land.

Estreats.

I. West. 1. 45. 3 E. 1. If Tenant or Defendant make Default after the first Attachment returned, the great Distress shall be awarded; whereupon, if the Sheriff make no sufficient Return, he shall be Amerced: but if the Return be that he hath done Execution, and delivered the Issues to the Sureties, day shall be given them to return them before the Justices; when if the Party appear, he shall have them, but if not, the King shall have them; and the Justices shall cause them to be sent into the Kings Wardrobe, and then deliver them into the Exchequer, and the Justices in Eyre to the Sheriff of the County (where they Plead) and likewise of Foreign Counties, who shall be charged therewith by the Rolls of the Justices.

II, Stat.

II. Stat. *De forma mittendi extractus ad Scaccarium*, 15 E. 2. *Vide Rast. Estreats* 2. First all Fines to have Writs, and all the Fines (wherein the Sum is expressed) of one County for the whole year, which are to be sent into the Exchequer, Entred in the Estreat of themselves in one place, in order as they are Entred in the Chancery-Rolls, together with the date of the day when such Fine was made.

III. Next to them shall be Entred Charters, Letters-Patents, and Commissions in which any Rent is due to the King, or any Account is to be made; then Homages, Fealties, Writs of *Diem clausit extremum*, Reliefs and Services.

IV. Then the Names of all such as shall be assigned that year to hear, inquire of, or do any thing whereby Fine, Amerciament or other Profit may arise to the King, to the end they may be sent to for the Estreats thereof. And in the end of the Estreat Re-disseisins and Surcharging of Pastures.

V. *Statutum Scaccarii* is Confirmed, and it is further Ordained, that the Justices of both the Benches, the Warden of the Forest, the Steward of the Kings House, and the Clerk of the Market, shall in like manner yearly deliver their Estreats in the Exchequer: the Steward of the Kings House shall also send his Estreats yearly at the close of *Easter* Term, and the next day after *Michaelmas*.

VI. The Warden also of the Aulnage shall yearly deliver his Estreats to the Treasurer, containing all defaults of Cloth contrary to the Assise, and the Price at which he delivered them, and also where, when, and by what Warrant.

VII. Divers other Provisions for the Kings Butler and Customers, concerning Wines Imported.

VIII. Stat. 42 E. 3. 9. The Party chargeable by the Estreats of Green-Wax, upon payment thereof shall see the Schedules themselves under Seal, and the Charge being paid, it shall be Totted by the Sheriff; for default whereof, if the Party be afterwards damnified, the Sheriff shall pay him treble Damages, to be recovered before Justices of Peace, or other Justices, and shall besides make Fine to the King. Also where the Copies of the Estreats concern Franchises, they shall be delivered to Bailiffs of the Franchises under the Sheriffs Seal, which Bailiffs shall render an Account thereof in the Exchequer by the same Copies.

IX. Stat. 7 H. 4. 3. The Justices and Judges before whom Issues or Amerciaments are Forfeit, shall charge the Clerks of the Estreats, where they are so Forfeit, by Oath to express in their Rolls the cause of such Forfeit, the Term when, the nature of the Writ whereupon, and betwixt what Parties they were lost, and that as well in the Kings Suit as in the Parties.

X. The Stat. of 42 E. 3. 9. Confirmed.

Evidence.

Evidence.

I. Stat. 7 Jac. 1. 5. An Action being brought against a Justice of Peace, Mayor or Bailiff of a Corporation, Headborough, Port-Reeve, Constable, Tythingman, or Collector of Subsidies or Fifteens, for any thing done by reason of their several Offices, both they and all their Assistants may Plead the General Issue, and yet give the special matter in Evidence.

II. Here, if the Verdict pass for the Defendant, or the Plaintiff be Non-suit or discontinue his Suit, the Defendant shall be allowed double Costs, to be recovered as Costs in other Cases, given to the Defendant, use to be recovered.

III. Stat. 21 Jac. 1. 12. The Statute of 7 Jac. 1. 5. is Confirmed, and Churchwardens, Sworn-men, and Overseers of the Poor, together with their Assistants, are to be comprehended within the purview of the same Statute.

IV. An Action brought against any the said Officers, their Deputies or Assistants, shall be laid in the County where the Fact was committed, and not elsewhere.

V. *Vid. Tit. Collectors, Sect. 2.*

Exception.

I. West. 2. 31. 13 E. 1. When the Justices will not allow a Bill of Exception upon Prayer, if the Party Impleaded tender the same unto them in Writing, and require their Seals thereunto, they or one of them shall do it.

II. If the Exception Sealed be not put into the Roll, upon complaint thereof to the King, the Justice shall be sent for, and if he cannot deny the Seal, the Court shall proceed to Judgment according to the Exception.

Excise.

I. Stat. 12 Car. 2. cap. 23. There shall be paid to the King for his Life the Impositions following, viz.

1. For every Barrel of Beer or Ale above 6 s. the Barrel, Brewed by any that Sell the same, to be paid by the Brewer, 15 d.
2. For every such Barrel of 6 s. or under, 3 d.
3. For every Hogshead of Cyder and Perry sold by Retail, to be paid by the Retailer, 15 d.
4. For every Gallon of Metheglin or Mead sold by Retail, or otherwise, to be paid by the Maker, ob.
5. For a Barrel of Vinegar-Beer Brewed by a Common Brewer, 6 d.
6. For

6. For a Gallon of Strong-water or *Aqua vita*, to be paid by the Maker, 1 *d.*
7. For a Barrel of Beer or Ale Imported from beyond Seas, 3 *s.*
8. For a Tun of Cyder or Perry Imported, 5 *s.*
9. For a Gallon of Spirits made of Wine or Cyder Imported, 2 *d.*
10. For a Gallon of Strong-water Imported, 4 *d.*
11. For a Gallon of Coffee to be paid by the Maker, 4 *d.*
12. For a Gallon of Chocolate, Sherbet and Tea 8 *d.* and so proportionably for greater or lesser quantities.

II. The said Duties hereby set on Foreign Liquors Imported, shall be paid by the Merchant-Importer in ready Money, upon his Entry made, and before Landing.

III. Common Brewers of Beer and Ale shall once a Week, and all Retailers of Beer, Ale, Cyder, Perry, Metheglin or Strong-water, shall once a Month make true Entries at the Office of Excise of all the Liquors aforesaid which they Brew or Retail: in default whereof Common Brewers shall Forfeit 5 *l.* Inn-Keepers 5 *l.* other Retailers 20 *s.* Common Brewers not clearing within a Week, and Retailers within a Month after they make or ought to make Entries, shall pay double the Duty. But none living in a Market-Town shall be compelled to Travel out, nor living out of one, to Travel to any other Place than the next Market-Town in the same County on the Market-day, to make such Entries and Payment.

IV. The Commissioners and Sub-Commissioners may under their Hands and Seals constitute Gaugers, who may by day, or in the presence of a Constable or other Officer by night, enter into any places belonging to Brewers, Victuallers, Distillers of the Liquors aforesaid, and Gauge Coppers and Vessels, and take an account of the said Liquors: and make return thereof to the Commissioners, or Sub-Commissioners, &c. leaving a Copy thereof under their Hands with the said Brewers, &c. such Returns to be a Charge on the said Brewers, &c. Brewers, &c. refusing to permit the Gaugers to enter, shall be forbidden by them to sell the said Liquors, and if they sell after such warning, or deliver out any the said Liquors, not having cleared the Duty, they shall lose 5 *l.* beside the double value.

V. Thirty Six Gallons of Beer go to a Barrel, and 32 Gallons of Ale to a Barrel of Ale, and the other Liquors aforesaid according to the Wine Gallon. Brewers and Retailers of Beer and Ale shall sell at the usual Rates: saving that Common Brewers may receive the Excise due over and above.

VI. Common Brewers, not selling by Retail, shall be allowed for Waste and Leakage upon 23 Barrels of Beer, 3 Barrels: upon 22 of Ale, 2 Barrels: with Allowances in case of false Entries,

Entries, and Conviction thereof before two of the Commissioners, shall be Forfeited for 6 Months.

VII. No Beer or Ale shall be delivered by the Brewer to the Retailer till he be paid the Excise over and above the Price.

VIII. Persons Brewing and Retailing small Quantities of Beer and Ale in Fairs, and who are not usual Brewers and Retailers thereof, paying the Excise, shall be discharged from all the Penalties of this Act for so much and no more.

IX. The Commissioners and Sub-Commissioners may compound for this Duty with Retailers. And the Lord Treasurer or Commissioners of the Treasury may Farm the Duties upon all the Liquors aforesaid, not exceeding the term of three years.

X. Offences against this Act within the limits of the chief Office in London, shall be determined by the said chief Commissioners, or greater part of them, or by the Commissioners for Appeals, or Major part of them, in case of Appeal; and Offences committed elsewhere, by two or more Justices of the Peace near the Place where they shall be committed, or in case of refusal or neglect of them by the space of 14 days after complaint, and notice to the Offender, by the Sub-Commissioners, or major part of them; the Party grieved by the Judgment given by the Sub-Commissioners, may appeal to the Quarter-Sessions, whose Judgment shall be final. All which Commissioners and Justices of Peace, &c. upon appearance or contempt of the Party accused upon Summons, may examine the matter, and upon Proof by Confession, or Oath of one Witness, may give Sentence, and issue Warrants for Levying the Forfeitures by Distress and Sale of Goods, if not redeemed within 14 days, and for want of Distress to Imprison till Satisfaction: and at their discretion may lessen the Forfeiture, so as by such mitigation it be not less than double the Excise due, besides Costs and Charges; three fourths of all which Forfeitures to the King, the other fourth to the Informer. One Principal Head Office shall be in London, or within 10 Miles of it, as long as the King shall think fit, to which all other Offices shall be accountable: the Officers whereof shall be appointed by the King, who, or any two of them, are hereby constituted Governours for the management of the Kings Receipt of the Excise.

XI. None shall meddle with any Office relating to the Excise till they have taken the Oaths of Allegiance and Supremacy before two Justices of Peace of the County where such Office is, or one Baron of the Exchequer, and this Oath, *mutatis mutandis*.

You shall swear to execute the Office of truly and faithfully without favour or affection, and shall from time to time true Account make and deliver to such Person and Persons

as his Majesty shall appoint to receive the same, and shall take no Fee or Reward for the Execution of the said Office, from any other Person than from his Majesty, or those whom his Majesty shall appoint in that behalf. The taking of which Oath the Justice of Peace shall certify to the next Quarter-Sessions, there to be Recorded.

XII. All Places within the Weekly Bills of Mortality, shall be under the Inspection of the Head Office. Subordinate Commissioners for other Places shall be appointed by the King. The said Office shall be kept open from eight in the Morning to twelve at Noon, and from two in the Afternoon to five. The chief Commissioners shall pay what they receive from time to time into the Exchequer.

XIII. Persons sued for acting in pursuance of this Law, may Plead the General Issue. And if a Verdict pass for the Defendant, or the Plaintiff be Non-suit, the Defendant shall have double Costs.

XIV. No Writ of *Certiorari* shall supersede Proceedings upon any Order by the Justices of Peace in pursuance of this Act. *Confirmed 13 Car. 2. cap. 7. Excise upon Beer, &c. given to King William and Queen Mary during Life, per Stat. 2 W. & M. cap. 3.*

XV. Stat. 1 Jac. 2. cap. 1. The several Rates, Duties and Impositions upon Beer, Ale, Cyder, and other Liquors aforesaid, shall be paid to King James the Second during his Life, and the said last mentioned Act shall be of Force during the said Kings Life, as if at large recited over again. Stat. 1. Jac. 2. cap. 1. *Repealed 2 W. & M. cap. 3. §. 11.*

XVI. Stat. 12 Car. 2. cap. 24. There shall be paid to the King, his Heirs and Successors, in Recompence for the Profits of the Court of Wards and Purveyance, the Impositions hereafter expressed. *Which are the same verbatim with those in cap. 23. supra, which long Act is here repeated word for word. Confirmed 13 Car. 2. cap. 7. Vide 2 W. & M. Sess. 1. cap. 3. Vide 9 W. 3. cap. 23. 10 W. 3. cap. 21. 1 Annæ cap. 7. Vide 5 Ann. cap. 19. Annuities 117. Washington.*

XVII. Stat. 13 Car. 2. cap. 11. No Brewer or Retailer of Beer or Ale, without giving notice at the next Office of Excise, or to one of the Commissioners, Farmers, or Sub-Commissioners, within the Limits of whose Office he inhabits, shall sit up, alter or enlarge any Tun, Fatt, Back, Cooler or Copper, and use them for making Beer, or Ale, or Worts, or keep any private Store-house for laying such Liquors in Cask, on pain to Forfeit 50 *l.* for every Tun, &c. and they in whose Occupation any House, &c. is, in which such concealed Tun, &c. shall be discovered, shall Forfeit 50 *l.* and such concealed Tun, so discovered or altered, with all Beer, Ale, or Worts therein, may be seized and delivered to the Overseers

Overseers of the Poor, to be sold for the Poores use, or be distributed amongst them.

XVIII. No Commissioners for Regulating the Excise shall Farm it, nor shall Farmers of the same act as Commissioners, on pain of being disabled for ever to be either Farmers or Commissioners. Acts done by such shall be void in Law, and Persons molested by their Authority may bring their Actions, and recover Damages against them. And Letters Patents enabling Farmers to be Commissioners or Sub-Commissioners, shall be void in Law. *Vid. infr. Sect. XLI.*

XIX. Gaugers of the Excise shall weekly, after the Brewer hath or ought to have made his Entry, deliver at his House a Copy of such return as they have made thereof to the Commissioners, on pain to Forfeit 40s. No Brewer shall be prosecuted for any Mis-Entry or short Entry, if within a Week after Delivery of such Copy, he certifie his Entry according to the said Return, or otherwise discharge himself.

XX. As oft as occasion shall be, two able Artists shall be appointed, one by the Commissioners or Farmers, &c. and one by the Brewers of any City or Place, who shall take Oath before a Justice to compute the Contents and Gauge of all Brewing Vessels, and to give one Copy thereof to the Commissioners, Farmers, &c. and another to every Brewer. Such computation shall be according to the measures exprest in the former Acts for Excise.

XXI. No Commissioner, Farmer, Brewer, or Inn-keeper, shall execute as a Justice of Peace, any Laws concerning the Excise; if they do, their Acts shall be void.

XXII. The Commissioners, Farmers, and Sub-Commissioners in each County, shall depute under Hand and Seal Persons in each Market-Town, to perform all things touching the said Duty, which Persons (and the Place where they intend to hold their Office) being the next Market-day published, shall attend on every Market-day from 9 in the Morning till 12 at Noon, and from 2 till 5 in the Afternoon, on pain to Forfeit 10l. half to the King, half to the Prosecutor. Such as come to make Entry and Payment, and tender the same according to the said Acts, and can prove such tender by one Witness, shall be liable to no Forfeiture.

XXIII. No Brewer shall deliver or carry out Beer or Ale to his Customers in any City, Town-Corporate, or Market-Town, before notice given to an Officer of Excise, but between 3 a Clock in the Morning and 9 in the Evening, from the 25th of March to the 29th of September, and between 5 in the Morning and 7 in the Evening, from the 29th of September to the 25th of March, on pain to Forfeit 20s. for every Barrel so carried out.

XXIV. If any Brewer or Retailer, after account taken by the Gauger of his Beer and Ale, &c. convert small Beer or small Worts into Strong Beer or Ale, and deliver out the same without giving notice to the Gauger, or conceal any Beer, Ale or Worts from view of the Gauger, he shall Forfeit for every Barrel 20 s.

XXV. Utenfils for Brewing, into whose hands soever they come, are hereby charged with all the Duties of Excise owing by any for Beer or Ale made in the said Brew-house, and all Forfeitures incurred for any Offence against the Statute for Excise.

XXVI. No Brewer, or other, who shall compound for his Excise, shall Brew, or suffer to be Brewed within his Brew-house, for any other Brewer, any Beer or Ale without giving notice thereof to the Commissioners, Farmers, or Sub-Commissioners, and paying the Excise, on pain that both he that Brews, and he for whom it is Brewed, shall Forfeit for every Barrel 5 l. half to the King, and half to the Informer.

XXVII. None shall Sell or Retail Coffee, Chocolate, Sherbet or Tea, without Licence from the General Sessions of the Peace for the respective Counties, Certificate being first shewed that they have given good Security for payment of their Dues, (for which Licence, Security and Recognisance but 12 d. shall be given) on pain to Forfeit 5 l. a Month.

XXVIII. No Brewer or other shall bribe any Gauger or other Officer, nor they take any Bribe, on pain to Forfeit 10 l. which Offences shall be proved by two Witnesses before two Justices of Peace or Chief Magistrate of the Place where committed; the Penalties to be Levied by Distress and Sale of Goods by Warrant under their Hands and Seals, and for want of such Distress, the Offenders to be committed three Months.

XXIX. No Imported Liquors shall be Landed before Entry made, or the Duty paid. And every Warrant for Landing such Liquors shall be Signed by the Officer of the Excise for the Place where, &c. and all such Liquors otherwise Landed, or without the presence of an Officer, or the value of such Liquors, shall be Forfeited, half to the King, and half to him that will seize or sue for the same.

XXX. No Persons Importing Exciseable Liquors, or other than Beer, Ale, Cyder, Perry and Metheglin, nor any to whom they are consigned, shall Land them without making due Entry on pain to Forfeit double the value.

XXXI. No Appeal in any Cause of Excise shall be admitted, till the Appellant have deposited the single Duty in the Hands of the Commissioners, &c. and given Security to the Commissioners of Appeal, or, &c. for all such Penalty as was adjudged against him. If the Judgment be reversed, the single Duty, or

so much as shall be adjudged, shall be restored, and the Party originally Prosecuting, shall pay double Costs: if affirmed, the Appellant shall pay like Costs.

XXXII. All Persons making Beer to convert into Vinegar for Sale, shall pay for every Barrel of such Vinegar-Beer as Common Brewers do.

XXXIII. Colleges and Halls in either University, which before the Duty of Excise imposed, did Brew their own Beer and Ale, shall pay no Excise.

XXXIV. Difference and Appeals concerning the Excise shall be determined in the proper Counties, or the several Ridings and Divisions of *Yorkshire* and *Lincolnshire*.

XXXV. No Officer of Excise shall take any Fee for any Bond, Receipt, or Note, on pain to Forfeit 10 s.

XXXVI. The Justices of Peace, or two of them, or chief Magistrates, in the several Counties, Cities and Places, shall meet once a Month, or oftner, to determine all Matters and Offences against this Act.

XXXVII. One third part of all Forfeitures, not herein otherwise disposed, shall be to the King; another third to the Poor of the Parish where the Offence shall be committed; the other third to the Informer: and all Fines and Forfeitures, for which no Remedy is ordained for the recovery thereof by this Act, shall be recovered by Action of Debt, Bill, &c. in any Court of Record, or as by the former Act is directed.

XXXVIII. No Appeal within the Limits of the chief Office of *London* shall be admitted, that is not brought within 2 Months, nor elsewhere, that is not brought within 4 Months after the first Judgment, and notice given or left at the House of the Party concerned therein.

XXXIX. No Person shall be employed in the Farming, Collecting, or Taking Accounts for the Duty of Excise, till he have taken the Oaths appointed by 12 *Car. 2. cap. 23.* before the Persons thereby appointed, and have Entred his Certificate for taking them with the Auditor for Excise, on pain of 50 l. for every Months neglect. *This last Act, and Rules therein, to continue during the Lives of King William and Queen Mary, per. Stat. 2 W. & M. cap. 3.*

XL. Stat. 15 *Car. 2. cap. 12.* Where the Commissioners for the time being have issued Summons, which hath been left at the House, or with the Wife, Child or Servant of any Person chargeable, it shall be deemed a good Summons.

XLI. Stat. 16 & 17 *Car. 2. cap. 4.* Farmers of Excise may exercise such Powers and Authorities, as Commissioners and Sub-Commissioners may, except the Judicial part of their Office.

XLII. Stat.

Excommunication.

227

XLII. Stat. 22 Car. 2. cap. 4. Brandy was and is charged by the Acts of 12 Car. 2. cap. 23. & 24. with the Duty of 8 d. per Gallon Imposed upon Strong-water, and not with the Duty of 4 d. per Gallon only Imposed upon Spirits made of Wine or Cyder Imported.

XLIII. Stat. 1 Jac. 2. cap. 5. An Act giving an Additional Duty upon Brandies for five years: Which see Tit. Customs. 101.

Excommunication.

I. *Sententia lata super Chartas*, 38 H. 3. Vide *Rast Excom. i.* In the year 1254. by the consent, and in the presence of the King, the Lords, and other Estates of the Realm, Boniface Archbishop of *Canterbury*, and all the other Bishops then present, being Apparelled in Pontificals, with Tapers burning, do in *Westminster-Hall* solemnly denounce a heavy Curse and Excommunication against all such as shall violate or break the Liberties of the Church, or Customs and Liberties of the Realm, and especially contained in *Magna Charta*, and *Charta de Foresta*.

II. *Artic. Cleri*, 7. 9 E. 2. The Kings Letters that Ordinaries shall Absolve Excommunicate Persons, shall not issue forth any more, unless it be found that the Kings Liberty is prejudiced by such Excommunication.

III. *Articuli Cleri*, 12. 9 E. 2. The Writ of *Excommunicato capiendo* shall not be denied for the Privilege of being of the Kings Tenure, and that the Party ought not to be cited out of his Parish.

IV. Stat. 9 E. 3. Writs are ordained for the Bishops to Excommunicate all Perturbers of the Peace of the Church and King, Felons, Maintainers, and Conspirators of Felonies, false Jurors, and Maintainers of false Quarrels, every Sunday and double Feast, &c. in all Cathedral and other Churches, and to proceed against them according to the Canon Laws. Vide *Rast. Abridgm.*

Excommunicato capiendo.

I. Stat. 5 Eliz. 23. Every Writ *De Excommunicato capiendo* shall be made in Term-time, and returnable in the Kings Bench the next Term after the *Teste* thereof, having 20 days betwixt the *Teste* and Return.

II. After the Writ shall be Sealed, it shall be forthwith brought into the Kings Bench, and there opened and delivered of Record to the Sheriff, or other Officer, or other Deputies, to whom the Execution thereof appertains; and then if the Sheriff, or other Officer, do not duly execute it, the Justices there shall

Excommunicato Capiendo.

Amerce him at their discretion, and Estreat the Amerciament into the Exchequer.

III. At the return of the Writ, the Sheriff, or, &c. shall not be compelled to bring the Party Arrested in the Kings Bench, but only return the Writ with a short Declaration how it was Executed, to the end the Justices may proceed therein according to the Tenour of this Act.

IV. If the Sheriff, or, &c. return a *Non est inventus*, then shall issue out of the Kings Bench a *Capias* returnable in Term-time two Months (at least) after the *Teste* thereof, with a Proclamation to be made 10 days (at least) before the return at the County-Court, Assise, Goal-delivery or Sessions, that the Party shall within six days after such Proclamation yield his Body to the Goal, and there remain as a Prisoner, in pain of 10 *l.* And what shall be done therein, and thereupon, shall be returned by the Sheriff, or, &c.

V. If upon the return it appear that the Party hath not rendered himself Prisoner upon the first *Capias*, he shall Forfeit 10 *l.* more, to be Estreated, as aforesaid, and then a second *Capias* shall be awarded against him, with Proclamation as before, and a pain to Forfeit 20 *l.* whereupon if he do not render himself Prisoner, he shall Forfeit 20 *l.* to be Estreated by the Justices, as aforesaid; and then a third *Capias* shall be awarded, with like Proclamation and Pain; and then a fourth, and so infinitely, until he render himself Prisoner, upon the several Returns whereof he shall Forfeit 20 *l.* to be Estreated as aforesaid.

VI. The Party yielding, his Body shall be committed to Prison, in like sort as if he had been taken upon the *Ex-com. cap.*

VII. If the Sheriff, &c. makes a false Return upon any of the said Writs, he shall Forfeit to the Party grieved 40 *l.*

VIII. The Bishops Authority to receive Submission, and deliver the Excommunicate, is saved, according to the former usage, viz by a Certificate thereof into the Chancery from the Bishop, and then a Writ from thence to deliver the Prisoner.

IX. In *Wales*, the Counties Palatine of *Lancaster*, *Cheshire*, *Durham*, and *Ely*, and in the Cinque-Ports, (being Jurisdictions exempt, where the Queens Writ runneth not) a *Significavit* (being on Record in Chancery) shall be sent by *Mittimus* to the Justices or Head-Officers there, who shall then proceed against the Excommunicate as the Kings-Bench is above directed.

X. Persons in Prison, beyond Sea, under Age, of *non sane* Memory, or Covert, shall not incur the Penalties aforesaid.

XI. If

XI. If in the *Excom. cap.* the Excommunicate have not a sufficient Addition, according to the Statute of 1 H. 5. 5. or if in the *Significavit* it be not contained, that the Excommunication proceeds upon some Cause or Content of some original matter of Heresie, refusing to have his Child Baptized, to receive the Sacrament, to come to Divine Service, or Error in matters of Religion or Doctrine, Incontinency, Usury, Simony, Perjury in the Ecclesiastical Court, or Idolatry, he shall not incur the Penalties aforesaid.

XII. If the Addition be with a *Nuper* of a Place, the first *Capias* and Proclamation shall Issue forth without any Penalty; and in such case also, if the Party be Proclaimed in a County where he is not for the most part resident, he shall not incur the Forfeitures aforesaid.

Execution.

I. *West. 2. 18. 13 E. 1.* He that recovereth a Debt or Damages in the Kings Court, may at his choice have a *Fieri facias* of the Land, and Chattels of the Debtor, or a Writ for the Sheriff to deliver him all the Chattels of the Debtor, (except Oxen and Plough-Beasts) and the moiety of his Land, by a reasonable Extent, till the Debt be Levied: and if he be ejected out of the Land, he shall have an Affise, and afterward a Writ of Diffesin, if need be. And this last Writ is called an *Elegit*.

II. *West. 2. 45. 13 E. 1.* For all things Recorded before the Kings Justices, or contained in Fines (whether Contracts, Covenants, Obligations, Services for Customs acknowledged, or any other things Enrolled) a Writ of Execution shall be within the year, but after the year a *Scire facias*; whereupon if satisfaction be not made, or good cause shewed, the Sheriff shall be commanded to do Execution.

III. In like manner also shall the Ordinary be commanded in his case. Howbeit, as concerning a Mesne, which by Recognition or Judgment is bound to acquit, what is said before (*which see in Mesne I.*) must be observed.

IV. *Stat. 32 H. 8. 5.* If Lands delivered in Execution on just cause be recovered without fraud from the Tenant in Execution before he shall have Levied or Received his whole Debt and Damages, he may have a *Scire facias* out of the Court from whence he had the Execution, returnable into the same Court at a day (40 days at least) after the date of such *Scire facias*; at which day, if the Defendant, being lawfully warned, make default, or do appear, and do not plead a sufficient cause (other than the former acceptance of the Lands) to avoid the said Suit for the residue of the said Debt and Damages, the said

Court shall issue forth a new Writ of Execution for the Levying thereof.

V. Stat. 1 Jac. 1. 13. If any taken in Execution be delivered by Privilege of Parliament, as soon as such Privilege ceaseth, the Plaintiff, his Executors or Administrators, may sue out a new Execution against him; and the Sheriff, or other Officer, shall not be chargeable for the first Arrest.

VI. This Act shall not lessen the Punishment of any by Censure of Parliament, who shall presume to procure such an Arrest.

VII. Stat. 3 Jac. 1. 8. No Execution shall be stayed upon any Writ of Error or *Superfedeas* thereupon, for the reversing of a Judgment in any Action of Debt, or upon any Contract in the Courts at *Westminster*, of the Counties Palatine of *Lancaster*, *Chester*, or *Durham*, or of the great Sessions in *Wales*, unless the said Plaintiff, with two sufficient Sureties (such as the Court shall like of) shall first be bound to the Party (for whom such Judgment is given) by Recognisance in the same Court, in double the Sum adjudged, to prosecute the said Writ of Error with effect, and to pay (if the Judgment be affirmed) all Debts, Damages and Costs so adjudged, and all Costs and Damages for delaying of Execution by the Writ of Error.

VIII. Stat. 21 Jac. 1. 24. The Party or Parties at whose Suit any Person shall stand charged in Execution for Debts or Damages recovered, their Executors or Administrators may, after the death of the Person so charged in Execution, lawfully sue forth new Execution against the Lands and Tenements, Goods and Chattels, of the Person so deceased, in like manner as if the Person deceased had never been taken in Execution. Howbeit, this Act shall not extend to Lands sold *bona fide* (after the Judgment given) when the Money raised thereupon is paid, or secured to be paid to Creditors in discharge of due Debts.

IX. 13 Car. 2. Stat. 2. cap. 2. No Execution shall be stayed in any of the Courts mentioned in 3 Jac. 1. cap. 8. by Writ of Error or *Superfedeas* thereon, after Verdict and Judgment thereupon in any Action of Debt upon 2 Ed. 6. for not setting out Tythes, Action upon the Case, upon promise for Payment of Money, Action *sur Trover*, Covenant, Detinue, and Trespass, unless such Recognisance, as by the said Act is directed, be first acknowledged.

X. Stat. 16 & 17 Car. 2. cap. 8. No Execution shall be stayed in the Kings Courts at *Westminster*, Courts of Record in the Counties Palatine of *Lancaster*, *Chester*, or *Durham*, or of the great Sessions in any the 12 Shires of *Wales*, by Writ of Error, after a Verdict and Judgment thereupon, in any personal Action, unless a Recognisance accord-
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ing to 3 Jac. 1. 18. be first acknowledged. Nor shall Execution be stayed by Writs of Error upon any Judgment, after Verdict in Dower or *Ejectione firma*, unless the Plaintiff, in such Writ of Error become bound to the Defendant in such Sum as the Court, to whom the Writ is directed, shall think fit, that if the Judgment be affirmed, or the Writ discontinued, in his Default, or he be Non-suit, he will pay such Damages and Sums of Money (to ascertain which a Writ of Enquiry shall issue to enquire of the mean Profits and Damages by Waste done after the first Judgment) as shall be awarded, and Costs of Suit.

XI. Writs of Error brought by Executors and Administrators, Actions on Penal Laws (except on 2 Ed. 6 for not setting out Tythes) Indictments, Presentments, Informations, and Appeals excepted.

XII. This Act shall continue for three years, and to the end of the next Session of Parliament after.

XIII. Made perpetual Stat. 22 & 23 Car. 2. cap. 4.

Execution of Statutes.

I. Stat. 3 H. 7. 1. The Lord Chancellor, Treasurer or Privy Seal, or any two of them, calling to them a Bishop, a Lord of the Council, and the two Chief Justices (or two other Justices in their absence) upon Bill of Information put to the Chancellor for the King or any other, for Maintenance, Retainers, Embraceries, untrue demeanings of Sheriffs, taking of Money by Juries, great Riots, or unlawful Assemblies, have Authority to call before them by Writ or by Privy Seal the said Misdoers, and them and others to examine, and to punish them according to the Statutes in that behalf made, in like manner as if they were convicted by due order of Law.

II. Stat. 21 H. 8. 20. The President of the Kings Council shall be Associate with the Lord Chancellor, &c. for the examination and punishment of the Misdoers aforesaid, according to the said Statute of 3 H. 7. 1. and other Statutes thereof made.

Executors.

I. West. 2. 23. 13 E. 1. Executors shall have a Writ of Account, and like Action and Process in the same Writ as their Testator should, if he had lived.

II. Stat. 4 E. 3. 7. Executors shall have an Action for a Trespass done to their Testator, as for his Goods and Chattels carried away in his life, and shall recover their Damage, in like manner as he, whose Executors they are, should have done, if he had lived.

III. Stat. 9 E. 3. Stat. 1. 3. In a Writ of Debt brought against Executors, they shall have but one Essoign amongst them all before appearance, and another after, so that they shall not Fourch by Essoign.

IV. Here, though the Sheriff upon the Summons return *Nihil*, yet an Attachment shall be Awarded, and upon *Nihil* also returned thereupon, the great Distress, and then he or they that appear shall answer.

V. Albeit some of them after Appearance make Default at the return of the great Distress, yet shall he or they be put to answer that first appeared at the great Distress so returned.

VI. If Judgment pass for the Plaintiff, he shall have Judgment and Execution against them that have Plead, and against all others named in the Writ, of the Testators Goods, as well as if they had all Plead.

VII. Any may Sue in this Case according to the Law formerly used (if he please) notwithstanding this Statute.

VIII. 25 E. 3. Stat. 5. 5. Executors of Executors shall have Actions of Debt, Account, and of Goods carried away of the first Testators, and Execution of Statute-Merchants and Recognisances made unto him, and shall also answer to others so far forth as they shall recover of the first Testators Goods, as the first Executors should have done.

IX. Stat. 23 H. 6. 1. Where Servants after the death of their Lords or Masters, do imbezel their Goods, after full Information thereof made to the Lord Chancellor by the Executors or two of them, of such spoil made, the said Lord Chancellor, by advice of the two Chief Justices, and Chief Baron, or two of them, shall have power to make such Writs to be directed to such Sheriffs as to them shall seem fit, to make Proclamation in such Places within 12 days after delivery of the said Writs, as to the said Chancellor, by the advice aforesaid, shall seem reasonable, that the Offender appear in the Kings Bench at the day limited in the Writ; which Proclamation shall be made 15 days before the day of Appearance; when if the Offender appear not, he shall be Attainted of Felony.

X. If the Party appear, the Justices shall commit him to Prison, there to remain until he hath answered the Executors in their Actions, and the same Actions be determined; provided that they be pursued with effect, and not slackly.

XI. The Offender may be Bailed by the Justices of that Bench, procuring two sufficient Persons to be bound with them to the Executors by Recognisance in the same Court, to keep such day as he shall have by the same Court.

XII. The Goalér shall not let them go at liberty without the Justices Order, in pain of 40 l.

XIII. Stat.

XIII. Stat. 21 H. 8. 4. That part of the Executors which take upon them the Charge of a Will, may sell any Land devised by the Testator to be sold, albeit the other Part, which refuse, will not joyn with them.

XIV. Stat. 43 El. 8. If any Person shall obtain any Goods or Debts of an Intestate, or Releases or other Discharge of any Debt or Duty (which belonged to the Intestate) by Fraud, as by (procuring the Administration to be granted to a Stranger of mean Estate, and not to be found, with intent thereby to obtain the Intestates Estate) and not upon valuable Consideration, or in Satisfaction of some just Debt answerable to the value of the Goods so obtained, in such Case such Person shall be chargeable as Executor in his own wrong, so far as the value of the Goods or Debts so obtained shall amount unto. Howbeit he shall also be allowed such reasonable Deductions as other Executors or Administrators ought to have.

XV. Stat. 30 Car. 2. cap. 7. Executors and Administrators of any who as Executors, or Executors in their own wrong, or Administrators, shall after the 1st of August, 1678. waste or convert any Estate of any Person deceased, to their own use, shall be chargeable as their Testator Intestate would have been, if living.

XVI. This Act shall continue three Years, and from thence to the next Session of Parliament.

XVII. Stat. 1 Jac. 2. cap. 17. Continued for seven Years from the first Day of that Session of Parliament, and from thence to the end of the first Session of the next Parliament. Made perpetual per Stat. 4 & 5 W. & M. Sess. 4. cap. 24. §. 12.

Exigent and Outlawry.

I. Stat. 5 E. 3. 12. Where the Plaintiff recovers Damages, and the Defendant is thereupon Outlawed, no Pardon shall be granted, except the Chancellor be certified that the Plaintiff is satisfied his Damages.

II. Where one is Outlawed by Process before Appearance, no Pardon shall be granted, except the Chancellor be certified that the Person Outlawed hath yielded himself to Prison before the Justices of the Place from whence the *Exigent* issued.

III. If the Outlawry happen to be before the Justices of Oyer and Terminer, and those Justices be risen before he yield himself before them, in that case he shall do it in the Kings Bench. And then the Record thereof being removed thither by Writ of *Scire facias* shall issue to the Plaintiff to warn him to Appear at a certain day : at which if the Warning be
duly

duly executed, and the Plaintiff appear, then shall they Plead upon the first Original, as though no Outlawry had been; but if he come not, the Outlawed Person shall be delivered by his Charter. And note that all such Charters are of the Kings Grace, as before they have been.

IV. Stat. 5 E. 3. 13. If any will defeat an Outlawry by reason of Imprisonment, testified by the Sheriff or others having no Record, let the Party yield himself to Prison, and then the Justices shall cause the Plaintiff to Appear at a certain Day, at which Day the Averment of such Outlawed Person shall be received; and so also shall the Kings Council or Prosecutor have their Averment against such Testimony.

V. Stat. 18 E. 3. Stat. 1. *Exigents* are to be Awarded against Receivers of the Kings Money or Wooll, which detain the same, and against such as Transport Wooll not Coqueted or Customed, Confederators and Conspirators of Quarrels, Rioters, and such as bring in false Money, if they cannot be found, or brought in by Attachment or Distress, and not against any other.

VI. Stat. 18 E. 3. Stat. 2. 5. No *Exigent* shall go forth against one Indicted for Trespass, unless it be against the Peace, or of the things contained in 18 E. 3. Stat. 1.

VII. Stat. 6 H. 8. 4. In Personal Actions, if the Defendant is Sued in a County where he dwells not, and an *Exigent* Awarded thereupon, no Outlawry shall be had before a Writ of Proclamation be also Awarded, and returned by the Sheriff of the County where the Defendant is, or lately was dwelling; and if the Defendant dwell in the Place where the Kings Writ runneth not, it shall be directed to the Sheriff of the County next adjoyning thereunto.

VIII. By this Writ the Sheriff shall make three Proclamations at three several Days, viz. twice in full County, and once at the General Sessions, that the Defendant shall yield himself unto him, and it shall have the same Day of Return with the *Exigent*.

IX. This Writ shall be delivered of Record to the Sheriff or his Deputy, who shall duly Execute the same, in pain of Amerciament; and the Officer that makes the *Exigent* shall also make the Writ of Proclamation, for which his Fee is 6 *d.*

X. All Outlawries otherwise obtained are null, and may be voided by Averment, without Suing of any Writ of Error.

XI. Stat. 1 E. 6. 10. The Statute of 6 H. 8. 4. shall be observed in *Wales*, and in the County and City of *Chester*, as well as in other Parts of the Realm of *England*.

XII. The Sheriffs of *Wales*, and of *Cheeshire* and *Chester*, shall have Deputies in the Kings Bench and Common Pleas, as other Sheriffs have, and upon like Penalties.

XIII. AII

XIII. All Processes against any Outlawed Persons in *Wales*, shall be directed to the Sheriffs in *Wales*, as immediate Officers to the Kings Bench and Common Pleas, and may be delivered of Record to their said Deputies in Court, and shall be duly executed and returned by those Sheriffs, upon the pain above limited, who shall also for a false or non-return Forfeit 5 *l.* to be divided betwixt the King and the Prosecutor.

XIV. This Act shall not infringe any Franchises and Liberties in *Wales*, otherwise than by the true meaning thereof is provided : Nor yet of any Lord Marcher there, but that they and their Heirs may enjoy the same Liberties as before.

XV. Stat. 5 & 6 E. 6. 26. The like Statute is made for the County Palatine of *Lancaster* ; save only that all Process against any Outlawed Person there, shall be first directed to the Chancellor of that Dutchy, who shall thereupon make like Writs and Processes to be Sealed with that Seal, and directed to the Sheriff of that County Palatine, as heretofore hath been used.

XVI. Stat. 31 El. 3. In every Action Personal where an *Exigent* shall be Awarded, a Writ of Proclamation shall be also Awarded, and issue out of the same Court, of the same *Teste* and Return with the *Exigent*, and shall be delivered of Record, and directed to the Sheriff of the County where the Defendant at the time of *Exigent* was dwelling, and shall contain the effect of the same Action.

XVII. The Sheriff shall thereupon make three Proclamations, viz. one in a full County, another at the Sessions, and the last (one Month at least before *Quinto Exalt.* by virtue of the *Exigent*) at or near the Church or Chapel-door of the Parish where the Defendant was dwelling at the time of Awarding the same *Exigent*, upon a Sunday after Divine Service and Sermons, (or in case there be no Sermon) after Divine Service ; and if he dwell in no Parish, then in the Parish next adjoyning to his Place of Abode : And all Outlawries otherwise had shall be void.

XVIII. The Officer for making the *Exigent* and Proclamations may take such Fees for the same as are limited by the Statute of 6 H. 8. 4. And the Sheriff for making the Proclamation at the Church-door, shall have 1 s.

XIX. In real Actions after Summons upon the Land (14 Days at least before the Return thereof) Proclamation of the Summons shall be made upon a Sunday in form aforesaid, in the Parish where the Land lies, which Proclamation shall be returned with the Names of the Summoners.

XX. If the Summons be not so proclaimed, no *Grand cape* shall be awarded, but an *Alias* and *Pluries* Summons, until
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a Summons and Proclamation be duly made according to this Act.

XXI. Before Allowance of a Writ of Error, or Reversing of an Outlawry by Plea or otherwise, the Defendant in the Original Action shall put in Bail to Appear and Answer the Plaintiff, and also to satisfy the Condemnation, if the Plaintiff begin his Suit before the end of two Terms next after the Allowance of the said Writ, or avoiding the Outlawry.

Extortion.

I. *West. 1. 26. 3 E. 1.* No Sheriff or other Officer of the King shall take any Reward to do his Office, but shall be paid by the King: And if he do so, he shall render the double, and be punished at the Kings Will.

II. *West. 1. 27. 3 E. 1.* Clerks shall not commit Extortion, in pain to lose the Service of their Master for one Year.

III. *West. 1. 30. 3 E. 1.* Officers, Criers of Fee, and Marshals of Justices in *Eyre*, shall not commit Extortion, in pain to render the treble, and to be otherwise punished at the Kings Will.

IV. *Stat. 28 H. 6. 5.* Merchants, being Distrained or Arrested by Officers of the Custom for undue Charges and Impositions, may have their general Actions of Trespass against such Offenders, and shall in that case recover 40 *l.* Damages, if they pursue their Actions within two Months.

V. If they pursue them not within that time, any other may do it by Action of Trespass also, wherein they shall also recover 40 *l.* Damages, to be divided betwixt the King and such Prosecutor.

Fairs and Markets.

I. **T**HE Statute of *Winchester, cap. 6. 13 E. 1.* Fairs and Markets shall not be kept in Church-yards.

II. *Stat. 2 E. 3. 15.* No Person shall keep a Fair longer than he ought to do, in pain to have it Seised into the Kings hand until he have made Fine for so doing.

III. Every Lord at the beginning of his Fair shall cry and publish how long it shall endure, in pain to be grievously punished.

IV. *Stat. 5 E. 3. 5.* Merchants after the Fair ended shall close their Shops, and sell no Ware thereafter, in pain to Forfeit to the King the double value of the Ware so sold, whereof the Prosecutor shall have a fourth Part.

V. *Stat.*

Fairs and Markets.

237

V. Stat. 27 H. 6. 3. Fairs and Markets shall not be kept upon *Ascension-day, Corpus Christi, Whitsunday, Trinity-Sunday*, the Assumption of the Virgin *Mary, All-Saints, Good-Friday*, nor any Sundays, (the Four Sundays in Harvest only excepted) in pain to Forfeit the Wares so shewed to the Lord of the Franchise there.

VI. Howbeit they may be kept within three Days next before or after the said Days, Proclamation thereof being made beforehand, which is to be certified without Fine or Fee to the King. And such as have by special Grant sufficient Days before or after the said Feast, may keep their full Number.

VII. Stat. 17 E. 4. 2. No Steward of a Pipowder Court shall hold Plea upon any Action, unless the Plaintiff or his Attorney, in the presence of the Defendant, do first swear, That the Matter of the Declaration was done within the Jurisdiction and time of the Fair. And yet the Defendant may nevertheless proffer an Issue against such Oath : And if it be Tried, and the Plaintiff or his Attorney refuse to swear, the Defendant shall be discharged.

VIII. If any such Steward do contrary to this Act, he shall Forfeit $\text{5} \text{ l.}$ to be divided betwixt the King and the Prosecutor.

IX. This Act shall not prejudice the Liberties of the Bishop of *Duresm.*

X. Stat. 1 R. 3. 6. The Statute of 17 E. 4. 2. made perpetual.

XI. Stat. 3 H. 7. 9. Upon an Ordinance made by the City of *London*, to prohibit Citizens to carry their Wares to Fairs and Markets out of the City, this Act gives them Liberty, and makes that Ordinance void ; and none shall trouble any Citizen for so doing, in pain of 40 l. to be divided betwixt the King and the Prosecutor.

* XII. Stat. 2 & 3 P & M 7. Every Owner of a Fair or Market shall appoint a Toll-taker, (where Toll is taken) or a Book-keeper, (where no Toll is paid) to sit there from 10 of the Clock in the Forenoon till Sun-set, in pain of 40 s. for every Default.

XIII. The Toll-taker or Book-keeper shall (within one Day after) deliver unto the said Owner a Note of all the Horses sold there that Day, in pain of 40 s. which Note the Owner shall subscribe, in like pain of 40 s.

XIV. Sale of a Stolen Horse in a Fair or Market without Entry in the Book, as aforesaid, and without staying there in open view by the space of an Hour at least, betwixt 10 of the Clock and Sun-set, shall not alter the property of the right Owner, but that he may by Virtue of this Act Seise or Replevy him wheresoever he finds him.



 XV. Justices of Peace in Sessions have power to hear and determine the Breach of this Statute; and the Forfeitures shall be divided betwixt the King and Queens Majesties and the Prosecutor.

XVI. Where no Toll is due, the Book-keepers Fee for Enttring every Contract, is 1 *d.* and no more.

XVII. Stat. 31 *El.* 12. Every Seller or Exchanger of an Horse in a Fair or Market, which, being unknown to the Toll-taker or Book-keeper, doth not procure one Credible Person, that is well known unto him, to vouch the sale of the same Horse, also every False Voucher, and the Toll-taker or Book-keeper, that suffers such Sale or Exchange to pass, shall Forfeit 5 *l.* to be divided betwixt the Queen and the Prosecutor. And besides, the Sale of such Horse shall be void.

XVIII. The Names of the Buyer, Seller, and Voucher, and the Price of the Horse, shall be Entred in the Toll-Book, and a Note thereof delivered to the Buyer under the Toll-takers or Book-keepers Hand, for which the Buyer shall pay 2 *d.*

XIX. Justices of Peace in Sessions have power to Hear and Determine these Offences.

XX. Notwithstanding such Sale and Voucher, as aforesaid, the Right Owner or his Executors may redeem a Stolen Horse, if they claim him within 6 Months after the Selling, at the Parish or Corporation where he shall find him, and make Proof by two sufficient Witnesses before the next Justice of Peace in the County, or before the Head-Officer of a Corporation, that the Horse was his, and repay to the Buyer such Price for the Horse as the same Buyer shall upon his own Oath before such Justice or Officer testifie to have paid for him.

XXI. An Accessory of an Horse-stealer shall not have his Clergy.

False Judgment:

I. *Marlb.* 20. 52 *H.* 3. None but the King shall hold Plea of false Judgment.

II. Stat. 1 *E.* 3. 4. If against a Record brought into the Kings Court by Writ of false Judgment, the Party alledgeth that the Record is otherwise than the Court did record the same, it shall be Tried by those of the County who were present when the Record was made; but if they appear not upon the Sheriffs Return of them with others, it may be Tried by other good Men of the County.

Fees.

I. *West. 2. 42. 13 E. 1.* Several ancient Fees of Marshals, Chamberlains, Porters, of Justices in *Eyre* and Serjeants, bearing Verge before the Justices at *Westminster*. See the Statute.

II. *West. 2. 44. 13 E. 1.* Porters bearing Verge before the Justices of the Bench in the Circuit, shall take for keeping a Jury only 10 *d.* for the Bills, nothing; upon a recovery without a Jury, nothing; upon a recovery against many by one Writ, 4 *d.* For Homage done in the Bench they shall have their upper Garment. Of great Assises, Attaints, Juries, and Battle waged, the Fee is 12 *d.* For the Pleas of the Crown, the Fee is 12 *d.* the dozen. For every Prisoner delivered, 4 *d.* The Chirographers Fee is 4 *s.* The Clerk's Fee for writing Originals, is for every Writ 1 *d.* See the Statute.

Fee-Farm Rents.

I. *Stat. 22 Car. 2. cap. 6.* Letters Patents to be granted before the 24th of June, 1672. under the Great Seal, the Seal of the Dutchy of *Lancaster*, or of the County Palatine of *Lancaster*, of divers Fee-Farm Rents, and other Rents of what kind soever, due to the King in Right of his Crown, or in Right of his Dutchy of *Lancaster*, or parcel of the Dutchy of *Cornwall* (except Quit-Rents, and Copy-hold Rents standing in charge as belonging to any Manor, and all Tenth's and First-fruits, and Rents *nomine decima*, payable by any Ecclesiastical Corporation, and all Rents incident to Reversions now in the King, and all Rents reserved upon Leases, and Farms of the Customs or Excise, made or to be made, and all Rents and Sums due in respect of Fire Hearths and Stoves) shall be good in the Law, for vesting the same in Trustees for the Sale thereof, and be construed most beneficially for the Patentees, any mis-naming, mis-recital, or non-recital of the Honors, Lands, &c. charged, or of any Estate Tail, or of the Reversion thereupon, not true Naming of the Places where the said Honors, Lands, &c. do lie, or lack of the true Naming of the Corporation, or lack of Attornment, or any mis-naming, or not naming of the Tenants of the Lands charged, and other defects or imperfections notwithstanding.

II. The said Trustees, and the Survivor or Survivors of them, shall execute to Purchasers, Indentures of Bargain and Sale, containing a Conveyance of the said Rents, and reciting the Consideration of Money paid, which shall be Enrolled in any of the four Courts of *Westminster* within 6 Months after the date thereof.

III. Such

III. Such Purchasers shall hold the same discharged of any Breach of Trust, which may be pretended to be committed by the said Trustees, and may recover the same as the King might, excepting the Prerogative Process out of the Exchequer.

IV. Rents not usually paid by the greater space of 40 Years last past, shall not be inserted in such Letters Patents. And Tenants shall hold their Lands discharged of any Rent reserved by Virtue of any Patent of Concealment, or Commission of defective Titles, not usually paid by the greater space of 40 Years, until the same shall have been recovered by due course of Law.

V. Purchasers of Rents reserved by any Letters Patents of Lands and Tenements, &c. and sold after the passing of this Act, shall enjoy them, any cancelling, avoidance or determination of such Letters Patents notwithstanding. This Act shall not be construed to avoid any Covenants or Agreements on the Kings part in the original Reservation of such Rents, nor Decrees in the Court of Augmentation, or Court of Exchequer, before the 23d of *October*, 1642. or since the 29th of *May*, 1660. whereby Fee-Farmers were to be discharged, and allowances out of the said Fee-Farm Rents to be made.

VI. Bodies Politick and Corporate may purchase the said Rents, the Statutes of *Mortmain* notwithstanding.

VII. This Act shall not extend to the Sale of any Rents arising within the Principality of *Wales*.

VIII. Instructions to be observed in the Sale of these Rents, yet so as the non-pursuance of them shall not weaken Purchasers Titles.

1. Contracts for Sales shall be Signed by the Lord Treasurer, or Commissioners of the Treasury, or two of them.

2. The Trustees shall convey to such as by Order from the Lord Treasurer, or Commissioners of the Treasury, or two of them, they shall be directed.

3. Every Contracter shall at or before Sealing his Conveyance, pay one Moiety at least of his Purchase-money into the Exchequer, and before he receives his Conveyance, give such Security as the Lord Treasurer or Commissioners, &c. shall approve, for the other Moiety.

4. Such as pay down their whole Money, shall be allowed for present payment of their second Moiety, not exceeding 10 *l. per Cent.*

5. Immediate Tenants liable to pay any Rent, shall be preferred in the Purchase of it before others; so as they tender themselves to the Lord Treasurer or Commissioners of the Treasury, to Contract within 6 Months after passing the said Patent, and notice thereof published by Proclamation, and perfect their Contract, and pay or secure the Money with-

in six Months after, at such Rate as shall be agreed, not exceeding 20 Years Purchase.

6. The Purchaser may have his Conveyance in the Names of any Persons he shall desire.

7. If any Rent be charged with any Incumbrance, Consideration shall be had of it, and Reprize allowed, and the Purchaser shall Covenant to take upon him such Incumbrance.

8. The Trustees shall hold the Rents to the Kings use till sale.

9. The Trustees shall Covenant with Purchasers against their own Acts.

IX. Fee-Farmers of Mills formerly belonging to the Crown, or Parcel of the Dutchy of *Lancaster*, shall have the Protection and Privilege of the Courts of Exchequer and Dutchy, and enjoy all former Privileges and Advantages, notwithstanding such Sale.

X. So much as is due for any Uses out of the Premises to be settled upon Trustees, shall continue to be paid. And the Trustees are hereby Authorized to Convey for performance of such Uses, such of the said Fee-Farm Rents, &c. as shall amount to the Sums charged. After which Conveyance the Purchasers of the Residue to be discharged thereof.

XI. Stat. 22 & 23 Car. 2. cap. 24. All Fee-Farm Rents, Rents Service, Rents Seck, Chantry Rents, Guild Rents, Castle-Guard Rents, and others within the Survey of the Exchequer or Dutchy of *Lancaster*, due to the King, in Possession, Reversion or Remainder, (other than such as are excepted out of 22 Car. 2. cap. 6.) are hereby vested in *Francis Lord Hawley*, *Sir Charles Harbord*, *Sir William Haward*, *Sir John Talbot*, *Sir Robert Steward*, and *William Harbord*, and their Heirs, as fully as if they had been granted to them by Letters Patents by virtue of the said Act, and shall be by them Conveyed according to the Directions in the said Act mentioned, upon a Particular thereof made by the Auditor, &c. before whom they stand in charge.

XII. Purchasers of the said Rents granted by the recited Letters Patents, or intended to be vested in the said Trustees by these Presents, shall be indemnified from all Incumbrances by the said Trustees.

XIII. Till Sale of the said Rents, the Receivers of the Kings Revenue shall gather the same.

XIV. Purchasers, by virtue of this Act, shall enjoy all the Advantages allowed to Purchasers by the former Act, and the shewing the Printed Copies of this and the former Act, and of the Conveyance, &c. shall be Evidence in any Court to entitle the Purchaser.

XV. No Tenant in Tail of any the said Rents, shall be enabled by this Act to bar the remainder, nor shall have greater power over the said Rent than he had before.

XVI. It shall be sufficient for the Purchasers of such Rents in every Suit, Avowry, Connusance or Justification, where occasion shall be to set forth their Title, to alledge that *Francis Lord Hawley, Sir Charles Harbord, &c.* were seised in Fee, and so seised granted the same.

XVII. The Trustees may convey the said Rents to Purchasers either by the words expressed in the Letters Patents, or by Particulars to be made by the Auditors, or by the Original Grants from the Crown, saving the Queens Right to the Rents hereby vested.

Feoffments.

I. Stat. 1 R. 2. 9. Every Gift of Feoffment of Lands made by Fraud of Maintenance, shall be void, and the Disseisee (notwithstanding such Alienation) shall recover against the first Disseisor both his Land and double Damages, provided he commence his Suit within a year after the Disseisin, and that such Feoffer be then Pernor of the Profits.

II. Stat. 4 H. 4. 7. The Disseisee shall have his Action against the first Disseisor during the life of the same Disseisor, so as such Disseisor be also Pernor of the Profits at the time of such Suit commenced; but as to other Writs in Plea of Land, the Demandant shall commence his Suit within the year against him that is Tenant of the Free-hold, at the time of the Action accrued to him, so as such Tenant be also Pernor of the Profits at the time of such Suit commenced; notwithstanding the Stat. 1 R. 2. 9.

III. Stat. 11 H. 6. 3. In all Writs grounded upon *Novel Disseisin*, Disseisees may have Recoveries against the Disseisors of their Feoffees, as well as in *Assise of Novel Disseisin*; so as such Disseisors or their Feoffees, against whom the Writ is brought, be Pernors of the Profits at the time of the Writ purchased; notwithstanding any Gifts or Feoffments made to other Persons to delay the Demandants.

Felony.

I. West. 1. 12. 3 E. 1. Notorious Felons which refuse lawful Trial, shall suffer strong and hard Imprisonment.

II. Stat. Of breaking Prison, 1 E. 2. It shall be Felony for any Person to break Prison, being in for Felony, otherwise not.

III. Stat. 5 H. 4. 4. It is Felony to multiply Gold or Silver. Repealed by 1 W. & M. Sess. 1. cap. 30.

IV. Stat.

IV. Stat. 5 H. 4. 5. It is Felony maliciously to cut out the Tongue, or put out the Eyes of any of the Kings Subjects.

V. Stat. 1 H. 7. 7. If any shall hunt within the Forests, Parks or Warrens in the Night-time, or disguised, one of the Kings Council, or a Justice of Peace to whom Information thereof shall be made, shall by his Warrant cause the Offender to be brought before himself, or some other Councillor or Justice of Peace, to be examined: where if he conceal the Fact, such Hunting shall be deemed Felony; but being confessed, the Offence is only Finable at the next General Sessions. And here a Refusous of the Execution of any such Warrant shall be also deemed Felony.

VI. Stat. 3 H. 7. 2. It is Felony to carry away a Woman, Wife, Widow or Maid against her Will, having Lands or Goods, or being Heir Apparent to her Ancestors; and the Prosecutors, Abettors and Receivers in such an Offence, shall be also deemed Principal Felons. Howbeit this shall not extend to any that takes a Woman, claiming her as his Ward or Bond-Woman.

VII. Stat. 3 H. 7. 14. It is Felony for any of the Kings Servants sworn, to conspire the destroying of the King, any Lord, Privy-Councillor sworn, Steward, Treasurer or Controller of the Kings Household, being thereof Convicted by 12 of the said Household before the said Steward, Treasurer and Controller, or two of them, who have power to determine the matter according to Law.

VIII. Stat. 21 H. 8. 7. Servants that go away with, or otherwise imbezell their Masters or Mistresses Goods, to the value of 40 s. worth, with an intent to steal them (being put in trust therewith) shall be punished as Felons: To continue till the next Parliament. *But see the Statute.*

IX. Stat. 22 H. 8. 11. It shall be Felony to break down Paw-Dike in Marshland in Norfolk, or Oldfield-Dike by Marshland in the Isle of Ely.

X. Justices of Peace there have power to hear and determine the said Offences.

XI. Stat. 25 H. 8. 6. Buggery is made Felony, and the Offender therein shall not have his Clergy.

XII. Justices of Peace have power to enquire of, hear and determine this Offence.

XIII. This Statute was but to continue till the next Parliament. *Vide infra.*

XIV. Stat. 1 E. 6. 12. Wilful killing by Poysoning, shall be adjudged of Murder; and their Aiders, Abettors, Procurers and Counsellors, shall suffer death, and forfeit as in Cases of wilful Murder.

XV. All Offences made Felony by Statutes since 23 April, 1 H. 8. not being Felony before, are Repealed. *Howbeit divers*

divers of them are Revived by other Statutes made since that time.

XVI. Stat. 1 M. Sess. 1. All Offences made Felony, or within the Case of *Pramunire*, by any Act since the First day of 21 H. 8. (not being Felony, or within the Case of *Pramunire* before) and every Branch of such Acts concerning the making of any Offence Felony, or within the Case of *Pramunire*, (not being so before) and all Pains and Forfeitures concerning the same, are Repealed and made void. *But divers of these Acts have been since Revived, which see in their proper places.*

XVII. Stat. 5 Eliz. 10. The Statute of 21 H. 8. 7. is Revived and made perpetual.

XVIII. Stat. 5 Eliz. 17. The Statute of 25 H. 8. 6. is Revived and made perpetual.

XIX. Stat. 43 Eliz. 13. In the Counties of Cumberland, Northumberland, Westmorland, and the Bishoprick of Durham, the carrying away or detaining of any Person against his or her will, the assenting or aiding to any such taking or detaining, the receiving or carrying of *Black mail*, the giving of *Black mail* for Protection, or the burning of Barns or Stacks of Grain, shall be adjudged Felony without Clergy, which the Justices of Assize, Goal-delivery and Peace, have power to hear and determine.

XX. The Names of Persons Outlawed there for Felony shall be delivered by the Clerks of the Peace to all Sheriffs, Mayors and other Head Officers, to be Proclaimed throughout all the said Counties: and with them none shall have converse, in pain to forfeit 6 Months Imprisonment, and not to be enlarged till Surety be given for the good behaviour during one whole year after such Imprisonment.

XXI. Justices of Assize, Goal-delivery, Oyer and Terminer, and of Peace, have power to punish the Negligence of Officers in this behalf.

XXII. This shall not Impeach the Authority of the Lord Wardens of the Marches.

XXIII. Stat. 21 Jac. 1. 26. It is Felony, without benefit of Clergy, to acknowledge, or procure to be acknowledged, any Fine, Recovery, Deed Enrolled, Statute, Recognisance, Bail or Judgment, in the Name of any Person not privy or consenting thereunto: howbeit this Offence shall not corrupt the Blood, nor take away Dower; neither shall it extend to Judgment acknowledged by an Attorney of Record for another Person.

XXIV. Stat. 13 & 14 Car. 2. cap. 18. Exportation of Sheep, Wooll, &c. made Felony. *Vid. Tit. Wooll, Sett. XXXVI.*

XXV. Stat. 22 & 23 Car. 2. cap. 1. If any on purpose, and of malice fore-thought, and by lving in wait, shall cut out or disable the Tongue, put out an Eye, slit the Nose, or cut off a

Nose

Nose or Lip, or cut off or disable any Limb or Member of any Subject of his Majesty, with intention to maim or disfigure him, such Persons, their Counsellors, Aiders and Abettors, shall suffer death as in cases of Felony, without benefit of Clergy.

XXVI. Provided that no Attainder of such Felony shall corrupt the Blood, or forfeit the Wifes Dower.

XXVII. Stat. 22 & 23 Car. 2. cap. 7. Persons that shall in the Night-time maliciously burn any Ricks or Stacks of Corn, Hay, or Grain, Barns, other Houses or Buildings, or Kilns, or destroy Horses, Sheep, or other Cattle, shall suffer as in case of Felony. But such Attainder shall work no corruption of Blood, loss of Dower, or disinheritance of Heir.

XXVIII. If any Persons Attainted by virtue of this Act, shall make Election to be Transported to any of the Kings Plantations, the Justices of Assise, Oyer and Terminer, &c. before whom they shall be Convict, may cause Judgment to be Entred, that they be Transported to some of the Kings Plantations in such Judgment named, for Seven years; and that the Sheriff of the County shall cause them to be embarked. Any returning within Seven years shall suffer death as if no such Election had been.

XXIX. If any shall in the Night-time maliciously maim, or otherwise hurt any Horses, Sheep, or other Cattle, or destroy any Plantations of Trees, or throw down Inclosures, they shall forfeit to the Party grieved treble the Damage by Action of Trespass or upon the Case.

XXX. Upon complaint of the Parties injured, three or more Justices of Peace, whereof one to be of the *Quorum*, may inquire by the Oaths of 12 Men, Examination of Witnesses upon Oath, or any lawful means, concerning such Offences and Offenders therein: and issue Warrants to Summon Jurors, and Apprehend Suspected Persons, and cause others that seem likely to make discovery, to appear, and give Information upon Oath: so as no Person be proceeded against for any Offence concerning which he shall be Examined as a Witness, and make discovery: and if any refuse to appear, or to be Examined, the Justices may commit them till they shall submit to be Examined.

XXXI. None punished for any Offence by virtue of this Law, shall be punished for the same Offence by any other Law. Nor shall any be questioned unless within 6 Months after the Offence committed.



Feasants and Partridges.

* I. Stat. 11 H. 7. 17. None shall take Feasants or Partridges with Engines in anothers Ground without Licence, in pain of

10 l. to be divided betwixt the Owner of the Ground and the Prosecutor.

II. None shall take out of the Nest any Eggs of Falcon, Goshawk, Lanner or Swan, in pain of a year and a days Imprisonment, and to incur a Fine at the Kings pleasure, to be divided betwixt the King and the Owner of the Ground where the Eggs shall be so taken.

III. None shall bear any Hawk of *English* breed, called an Eyels, Goshawk, Tassel, Lanner, Lanneret or Falcon, in pain to forfeit the same to the King.

IV. He that brings an Eyels Hawk from beyond the Sea, shall have a Certificate under the Customs Seal where he Lands, or if out of *Scotland*, then under the Seal of the Lord Warden or his Lieutenant, testifying that she is a Foreign Hawk, upon the like pain of forfeiting the Hawk.

V. None shall take, kill or fear away any of the Hawks above-said, from the Coverts where they use to breed, in pain of 10 l. to be recovered before Justices of Peace, and divided betwixt the King and the Prosecutor.

VI. Stat. 23 Eliz. 10. None shall kill or take any Fasants or Partridges with any Net or Engine in the Night-time, in pain to forfeit for every Fasant 20 s. and for every Partridge 10 s. which if the Offender pay not within 10 days, he shall suffer one Months Imprisonment without Bail, and enter into Bond (for two years only) with good Sureties before some Justice of Peace, not to Offend in the like kind.

VII. The Forfeiture aforesaid shall be recovered in any Court of Record, and divided betwixt the Lord of the Liberty or Manor where the Offence is committed, and the Prosecutor: but in case the Lord shall dispence with the Offender, the Poor of the Parish are to have his moiety, to be recovered by any of the Churchwardens.

VIII. None shall Hawk or Hunt with his Spaniels in standing Grain, or before it is shocked (except in his own Ground, or with the Owners consent) in pain to forfeit 40 s. to the Owner of the same Ground, to be recovered, as aforesaid.

IX. Justices of Assise, Justices of Peace in Sessions, and (afterwards) Stewards in Leets, have power to hear and determine these Offences: and one Justice of Peace may examine such an Offender, and bind him over with good Sureties to answer it at the next General Sessions, if the Offence be not before determined at the Assises, or in a Leet.

X. This Act shall not restrain Fowlers, which unwillingly take Fasants or Partridges, and forthwith let them go at large.

XI. Stat. 1 Jac. 1. 27. Every Person convicted by his own Confession, or by two Witnesses upon Oath, before two or more Justices

Justices of Peace, to have killed or taken any Feasant, Partridge, Pigeon, Duck, Heron, Hare, or other Game, or to have taken or destroyed the Eggs of Feasants, Partridges or Swans, shall by the said Justices be committed to Prison without Bail, unless he immediately pay to the use of the Poor where the Offence was committed, or he apprehended, 20 s. for every Fowl, Hare, or Egg so killed or destroyed;  And after one Months Commitment, shall before two or more Justices of Peace be bound with two sufficient Sureties in 20 l. apiece, with condition never to Offend in the like kind again.

XII. Every Person Convicted, as abovesaid, to keep a Greyhound, Dog or Net, to kill or take Deer, Hare, Feasant or Partridge: (unless he have Inheritance of 10 l. *per annum*, a Lease for Life of 30 l. *per annum*, or be worth 200 l. in Goods, or otherwise be the Son of a Baron or Knight, or Heir Apparent of an Esquire) shall suffer Imprisonment, as aforesaid, unless he pay 40 s. to the use abovesaid.

XIII. None shall sell, or buy to sell again, any Deer, Hare, Feasant or Partridge (except Feasants or Partridges by them reared up or brought from beyond Sea) in pain to forfeit for every Deer 40 s. Hare 10 s. Feasant 20 s. and Partridge 10 s. to be divided betwixt the Prosecutor and the Poor of the Parish where the Offence is committed.

XIV. Justices of Assize, Justices of Peace in Sessions, and two or more Justices of Peace out of Sessions, have power to hear and determine these Offences.

XV. None shall by any former Law suffer punishment for the same Offences for which he shall be punished by this Law.

XVI. This Act shall not restrain one Licensed in open Sessions to kill Hawks-meat; but then he shall there become bound by Recognisance in 20 l. not to kill any of the Games prohibited by this Law, nor to Shoot within 600 paces of an Hearnry, within 100 paces of a Pigeon-house, or in a Park, Forest or Chase, whereof his Master is not Owner or Keeper; and the Clerk of the Peace his Fee for such a Licence, is 12 d.

XVII. Stat. 7 Jac. 1. 11. Every Person Convicted by his own Confession, or by two Witnesses upon Oath, before two or more Justices of Peace, to have Hawked at, or destroyed any Feasant or Partridge betwixt the first of July and the last of August, shall suffer one Months Imprisonment without Bail, unless he forthwith pay to the use of the Poor where the Offence was committed, or he apprehended, 40 s. for every time so Hawking, and 20 s. for every Feasant or Partridge so destroyed or taken,

XVIII. He that shall be punished by this Law, shall not be punished again by any other Law for the same Offence.

XIX. This Offence shall be prosecuted within 6 Months after it shall be committed.

XX. It shall be lawful for the Lord of a Manor, or any having free Warten, Inheritance of 40 *l. per annum*, Freehold of 80 *l. per annum*, or Goods worth 400 *l.* or their Servants, (Licensed by them) to take Feasants or Partridges within their own Grounds or Precincts; so they do it in the day time, and only betwixt *Michaelmas* and *Christmas*.

XXI. If any of a mean Condition shall be Convicted by his own Confession, or by one Witness upon Oath before two or more Justices of Peace, to have killed or taken any Feasant or Partridge with Dogs, Nets or Engines, he shall by the said Justices be committed to Prison without Bail, unless he forthwith pay to the use of the Poor where the Offence was committed, 20 *s.* for every Feasant or Partridge so killed or taken; and also become bound before one or more Justices of Peace in a Recognisance of 20 *l.* never to offend in the like kind again.

XXII. Every Constable or Headborough (upon a Warrant under the Hands of two or more Justices of Peace) hath power to search the Houses of Persons suspected to have any Setting-Dogs or Nets for the taking of Feasants or Partridges, and the Dogs or Nets here found to kill and cut in pieces at pleasure, as things forfeited unto the said Officers.



Fighting and Quarrelling.

I. Stat. 5 & 6 E. 6. 4. None shall use any chiding words in the Church or Church-yard, in pain of Suspension for so long time as the Ordinary shall think fit, viz. of a Lay-man, *ab ingressu Ecclesie*, and of a Clerk, *a Ministerio Officii*.

II. He that shall there smite or lay violent Hands upon any one, is thereby Excommunicated *ipso facto*.

III. He that is Convicted of striking with a Weapon there (or of drawing it with an intent to strike) before Justices of Assise, of Oyer and Terminer, or of Peace in Sessions, by Verdict, his own Confession, or two lawful Witnesses, shall by Judgment of the said Justices have one of his Ears cut off, and in case he want Ears, shall be burned upon the Cheek with the Letter F. and shall stand Excommunicate *ipso facto*.

Fines.

I. Stat. *De finibus*, 18 E. 1 Stat. 4. After the Writ Original is delivered in the presence of the Parties before the Justices,

stices, the Pleader shall say, Sir Justice, *Congra de accorder* : then the Justice shall say, What saith Sir R ? And when the Kings Fine is agreed for, and the Peace cried, the Pleader shall declare the Substance of the Fine.

II. A final Concord cannot be Levied in the Kings Court without Writ Original before four Justices in the Bench, or Eyre ; and it must also be in the presence of the Parties, who ought to be of full Age, of good Memory, and out of Prison : and if a Feme covert be one, she must be examined by four of the said Justices ; and if she consent not, the Fine cannot be Levied.

III. The reason of such Solemnity in the taking of a Fine is, because it bars all Persons of full Age, out of Prison, of good Memory, and within the four Seas, the day of the Fine Levied, if they make not their Claim of their Action within a year and a day by the Country.

IV. Stat. *De finibus levatis*, 27 E. 1. Stat. 1. c. 1. It shall be no good Exception to a Fine, that before or at the time of the Fine Levied the Demandant or his Ancestors were seised of the Land contained in the Fine, or some part thereof.

V. Fines shall be openly read at two certain days in the Week by the discretion of the Justices, and in the mean time all Pleas shall cease.

VI. The Statute of *Carlisle*, 15 E. 2. In Pleas of *Warrantia Charta*, Covenant, or other, whereupon Fines are to be Levied, before the Justices of the Bench, as well the Demandants as Tenants (before such Fines pass) shall appear personally, to the end their Age, Idiocy, and other defects (if any be) may be discerned.

VII. If the Party be not able to come before the Justices in the Court, then two or one of them (by the assent of the rest) shall go to the Party and receive this Cognisance : and if but one go, he shall take with him an Abbot, Prior, or Knight being of good fame and credit.

VIII. The Commissioners that take the Cognisance shall make Certificate thereof to the Justices, to the end the Fine may be lawfully Levied according to the former Ordinance.

IX. Neither the Barons of the Exchequer, nor the Justices shall admit any Attorneys, save only in Pleas that pass before them ; neither shall any of their Clerks or servants so do ; and every Admission otherwise shall be void.

X. The Authority of the Chancellor and of the Chief Justices, for admitting Attorneys, as hath been heretofore observed, is saved.

XI. Stat. 34 E. 3. 16. The Plea of Non-claim of Fines shall be no bar hereafter.

XII. Stat.

XII. Stat. 38 E. 3. Stat. 1. 3. Fines taken before the Justices shall be in the presence of the Pledges, who shall know the Sum of their Fine before they depart.

XIII. Stat. 5 H. 4. 14. To prevent the Damages that may happen by the imbezelling of the Feet and Notes of Fines, all Writs of Covenant, and other Writs whereupon Fines are Levied, together with the *Dedimus potestatem*, if any be, and all Knowledges and Notes of the same, before they be drawn out of the Common Bench by the Chirographer, shall be Recorded in a Roll, to remain with the Chief Clerk of that Court, for the old Fee of 22 d. usually paid to him for Entering the Concord, to the end that in case any Notes or Fines be imbezelled, the Party may have recourse to the said Roll, to have Execution thereof.

XIV. Stat. 1 R. 3. 7. A Fine shall after the Ingrossing thereof be openly read and proclaimed in the Common Pleas the same Term, and the three next Terms after, upon four several days, and in the mean time all the Pleas shall cease.

XV. A Transcript of the Fine shall be sent to the Justices of Assise of the County where the Land lieth, to be there also proclaimed at every Assise holden there that year, and then also all Pleas shall cease.

XVI. Another Transcript thereof shall be also sent to the Justices of Peace of the same County, to be in like sort proclaimed at their four Sessions holden that year: and both the Justices of Assise and Peace shall make Certificate of such Proclamation made the second Return of the Term then next following.

XVII. A Fine so proclaimed and certified shall conclude all Persons, both Privy and Strangers, (except Women covert, other than such Women as are Parties to the Fine, Persons under Age, in Prison, out of the Realm, or not of sound Mind) if they pursue not their Right, Title, Claim or Interest, by way of Action, or lawful Entry, within five years after the Proclamation so made and certified, as aforesaid.

XVIII. The Right of Strangers, which happens to come unto them after the Fine is Ingrossed, is saved, so that they lawfully pursue their Right or Title within five years after it so comes to them: and here an Action against the Pernor of the Profits is maintainable.

XIX. If the Parties to whom such Right or Title comes be Covert, under Age, in Prison, out of the Land, or not of sane Memory, they or their Heirs have time to pursue their Right or Title within five years after such Imperfections removed; so also have they in case they had Right of Title at the time of the Fine Levied.

XX. Fines

XX. Fines at the Common Law have the same force they had before ; and a Fine may be Levied according to this Statute, or the Common Law, at the Election of the Parties.

XXI. Stat. 4 H. 7. 24. Every Fine after the Ingrossing shall be proclaimed in the Court the same Term, and the three next, four several days in every Term, and in the mean time all Pleas shall cease.

XXII. The Proclamations being so made, the Fine shall conclude all Persons, both Privies and Strangers, except Women covert, Persons under Age, in Prison, out of the Realm, or of *non sane* Memory, being not Parties of the Fine.

XXIII. The Right and Interest that any Person or Persons (other than Parties) hath or have at the time of the Fine Ingrossed, is saved, so that they or their Heirs pursue such their Right or Interest by Action or lawful Entry within five years after the Proclamations so made : so also is the Right and Interest saved which accrues after the Ingrossing of the Fine, so that the Parties having the same, pursue it within five years after it so accrues : and in this case the Action may be brought against the Pernor of the Profits.

XXIV. If at the time of the Fine Ingrossed, or of such Accruer, as aforesaid, the Persons be covert, (and no Parties to the Fine) under Age, in Prison, out of the Realm, or of *non sane* Memory, they or their Heirs have time to pursue their Actions within five years after such Imperfection removed.

XXV. The Exception, that none of the Parties, nor any to their use, had any thing in the Lands at the time of the Fine Levied, is saved to all Persons, except Parties and Privies.

XXVI. Fines at the Common Law have the same force they had before the making this Act : and a Fine may be Levied this way, or at the Common Law, at the pleasure of the Parties.

XXVII. Stat. 32 H. 8. 36. All Fines Levied by any Person or Persons of full Age, of Lands Intailed before the same Fine, to themselves, or to any of their Ancestors, in Possession, Reversion, Remainder or Use, shall immediately after the Fine Ingrossed, and Proclamation made, be a sufficient bar against them and their Heirs claiming only by such Intail, and against all other claiming only to their use, or to the use of any Heir of their Bodies.

XXVIII. Howbeit this Act shall not bar the Interest of any Persons accrued by any Fine Levied by a Woman after her Husbands death, contrary to the Stat. of 11 H. 7. 20.

XXIX. A Fine Levied by him who is restrained by any express Act of Parliament so to do, shall be void, notwithstanding this Act.

XXX. This

XXX. This Act shall not extend to any Fine heretofore Levied of Lands now in Suit, or heretofore lawfully recovered in any Court by Judgment or otherwise: nor to any Fine of Lands Intailed by the Kings Letters Patents, or any Act of Parliament, the Reversion thereof at the time of such Fine Levied being in the King.

XXXI. Stat. 37 H. 8. 19. Fines Levied before the Justices of Assise at *Lancaster*, or one of them, and openly read and proclaimed at three several Sessions before the said Justices, or one of them, of Lands lying within that County Palatine, viz. upon three several days in the Sessions, when the Fine is Ingrossed, and three other several days in each of the two Sessions then next following, shall be of like force as Fines acknowledged before the Justices of the Common Pleas.

XXXII. Stat. 2, 3 E. 6. 28. This Statute ordains all Fines of Lands within the County Palatine of *Chester* to be of like force with those of the Common Pleas, being proclaimed before the High Justice there, or his Deputy, in like sort as those of *Lancaster* are proclaimed.

XXXIII. Stat. 1 M. Parl. 2. 7. All Fines whereupon Proclamations are not duly made (by reason of the Adjournment of any Term by Writ) shall be as good as if that Term had been holden from the beginning to the end, and the Proclamations therein made, according to the Stat. 4 H. 7. 34.

XXXIV. This Act shall not extend to any Fine heretofore Levied of Lands now in Suit, or heretofore lawfully recovered by Judgment or otherwise.

XXXV. Stat. 31 Eliz. 2. Fines in the Common Pleas shall be proclaimed four times only, viz. once in the Term wherein the Fine is Ingrossed, and once in each of the three Terms then next following.

XXXVI. Stat. 31 Car. 2. cap. 3. The Chirographer of Fines of the Court of Common Pleas or his Deputy, shall before the end of *Trinity* Term next, certifie to that Court a Note of all Fines Entred in his Book, that were burnt in the late Fire in the Temple. A Copy of which Certificate shall be set up in *Westminster Hall*, and remain there four Terms. The Chirographer shall also make Transcripts of the Fines in every County that are missing, and deliver them to the respective Sheriffs, within a Week after next *Trinity* Term, who shall set them up at the next Summer Assises.

XXXVII. At any time within three years next, the Chief Justice of the Court of Common Pleas, with one or more Justices of the said Court, may send for any Officers, Records or other things relating to such Fines, and upon Examination shall direct the Chirographer to new Ingross the Note of and for such Fines; who shall bring them Ingross to the said Chief Justice,

Fines, Amerciaments, Forfeitures. 213

Justice, and such other Justices that shall have taken the Examinations concerning them, who shall subscribe their Names with these words above their Subscriptions, *Ingross. secundum formam Statuti de Anno Tricesimo primo Caroli Secundi Regis*; the Foot of such Fines so Ingrossed with the Proclamations of that and the three subsequent Terms, to be Filed by the *Custos Brevium*, and the Notes thereof by the Chirographer among the Fines of the same Term.

XXXVIII. Such Fines to be of Force as if the Writ of Covenant, Writ of *Dedimus potestatem*, if taken by Commission, Concord, Foot and Note of the said Fines had remained unconsumed, and upon any Writ of Error to be brought for the reversing any such Fine, the *Custos Brevium* and Chirographer, together with the Note and Foot thereof, to certifye the said Subscription.

XXXIX. No Person shall take any Reward for any thing done in Execution of this Act.

Fines, Amerciaments, Forfeitures.

I. Stat. 22 & 23 Car. 2. cap. 22. All Fines, Post-fines, Issues, Amerciaments, forfeited Recognisances, Sums of Money paid, or to be paid in lieu of them or any of them, and all other Forfeitures imposed or forfeited in the Kings Bench, Common Pleas or Exchequer, shall be Estreated into the Court of Exchequer twice every year; *i. e.* all arising from the beginning of *Hillary* Term, to the beginning of *Trinity* Term, shall be Estreated the last day of every *Trinity* Term: and all arising from the beginning of every *Trinity* Term, to the beginning of every *Hillary* Term, shall be Estreated into the Exchequer the last day of every *Hillary* Term; on pain that every Officer to whom it appertaineth to make such Estreat, making default therein, shall forfeit 50 *l.* for every failer: the one moiety to the King, the other to the Prosecutor.

II. This Act shall not alter the course used in certifying and Estreating Issues from the Court of Common Bench, nor of Fines *pro licentia concordandi*, nor the Termly Estreating of Issues out of the Office of Pleas in the Exchequer.

III. Fines, Issues, Recognisances, and all Forfeitures, imposed or forfeited by or before any Judge of Assise, Clerk of the Market, Commissioners of Suers, shall be Estreated into the Exchequer twice yearly, *i. e.* all arising betwixt *Michaelmas* and *Easter*, before the first day of *Hillary* Term, on pain that every Person to whom it belongeth to make such Estreats, making default therein, shall forfeit 50 *l.* for every failer, one moiety to the King, the other to the Prosecutor.

IV. Clerks

IV. Clerks of the Peace and Town-Clerks shall deliver to the Sheriffs within 20 days after the 20th of *September* yearly, a perfect Estreat of all Fines, Issues, Amerciaments, Recognisances, Sums of Money and other Forfeitures, which shall have been imposed or forfeited in any of the Sessions of the Peace respectively: and shall yearly, on or before the second *Monday* after the morrow of *All Souls*, deliver into the Exchequer a Duplicate of such Estreats so delivered to the Sheriffs, that the Sheriffs may be charged therewith on their Apposals; on pain to forfeit 50*l.* for every failer, the one moiety to the King, the other to the Prosecutor.

V. No Officer belonging to the Court of Kings Bench, Common Pleas, or Exchequer, nor any Clerk of the Assize, Clerk of the Peace, Town Clerk, nor any Officer under them, nor any other, shall conceal any Indictment, Fine, Post-Fine, Issue, Amerciament, Recognisance, or other Forfeiture, unless by Order of Court; nor shall they Mis-certifie any of the same; on pain to forfeit the treble value of what they conceal or mis-certifie, one moiety to the King, the other to the Prosecutor, and also on pain to lose his Office, and be incapable of any Office or Place, where any part of the Kings Revenue is managed or paid.

VI. Where any Sums of Money or Forfeitures due to the King, shall at any time be paid to any Sheriff or other Officer whatsoever, and be according to the directions of this Act, certified and Estreated in, or into the Court of Exchequer, Process of the Green Wax shall be awarded to the respective Sheriffs against such Officers for Levying the same.

VII. Nothing in this Act shall prejudice the Rights of any Bodies Politick or Corporate, Lords of Manors, Liberties or Franchises whatsoever, nor the Privileges of the City of *London*.

VIII. This Act shall continue for three years, and from thence until the next Session of Parliament and no longer. Continued *1 Jac. 2. cap. 17.* for seven years, and from thence to the end of the next Session of Parliament. Made perpetual *per 4 G. 5 W. & M. Sess. 4. cap. 24. S. 4.*

Fines to the King.

I. *Magna Charta*, 26. 9 *H. 3.* Nothing shall be given for a Writ of Inquisition, nor taken of him that prayeth Inquisition of Life or Member; but it shall be granted freely, and not denied.

First-fruits and Tenths.

I. Stat. 26 H. 8. 3. The First-fruits and Profits for one year of every Spiritual Living is granted to the King, which every Spiritual Person shall pay or secure by Bond before his actual Possession of his Benefice.

II. Search for the value of the Benefices, and Composition for the First-fruits thereof, shall be made by the Lord Chancellor, Master of the Rolls, and other Commissioners to be appointed by the King for that purpose; and the Money and Securities taken upon such Compositions made before the Chancellor and Master of the Rolls only, shall be paid and delivered unto the Clerk of the Hanaper, for which he shall render Account, as he useth to do for other Profits of the Great Seal; but being made before other Commissioners, shall be paid and delivered unto the Treasurer of the Kings Chamber, or such other Person or Persons as the King shall authorize under the Great Seal for that purpose to receive the same.

III. Acquittances for the Receipt of any Money paid for First-fruits, under the Hands of the Clerk of the Hanaper, Treasurer of the Kings Chamber, and the Commissioners or any of them, shall be a Discharge for the same in any of the Kings Courts.

IV. An Obligation for First-fruits shall be of like force as a Statute Staple, and no more shall be so taken for such an Obligation than 8*d.* and 4*d.* for an Acquittance.

V. The Commissioners shall every six Months deliver by Indenture unto the Treasurers, or other Person or Persons authorised, as aforesaid, such Money and Specialties as they shall receive; and in case they do not, or do conceal them, they shall forfeit their Office, and be Fined at the Kings pleasure.

VI. If any be convicted by Presentment, Verdict, Confession, or Witness, before the Lord Chancellor or other Commissioners, to have entred upon any Spiritual Living, before payment or composition made, as aforesaid, he shall forfeit the double value of the First-fruits.

VII. All First-fruits heretofore payable to other Persons, shall be from henceforth paid to the King.

VIII. Provided, that Bishops may give Institution and Induction, notwithstanding this Act.

IX. A Rent of Pension out of every Spiritual Living amounting to the tenth part of the annual value thereof, shall be yearly paid unto the King at *Christmas*, and the Collector thereof shall pay them in yearly before the first of *April*.

X. The Lord Chancellor shall appoint Commissioners in every Diocese for the discovery of the yearly value of every Spiritual Living there, and to make Certificate thereof, as also of such Deductions

Deductions as are to be made out of the same ; which Commissioners shall be aforehand sworn by *Dedimus potestatem* duly to execute their Commissions.

XI. Every Spiritual Person shall be charged for his Tenth in the Diocese where he is, albeit their Possessions lie elsewhere.

XII. Bishops shall be charged with the Collection of all the Tenths within their respective Dioceses, and shall make payment thereof yearly before the first of *April*, unto the Treasurer of the Kings Chamber, or other Person authorised to receive the same ; and upon non-payment thereof, Process shall issue out of the Exchequer against them.

XIII. Bishops shall have power to Levy the Tenths by Censures of the Church, Distress, or otherwise ; and no Replevin, Prohibition, *Superfedeas*, or other Writ or Impediment, shall be allowed to hinder the same.

XIV. During the Vacation of a Bishoprick, the Dean and Chapter shall be charged therewith.

XV. If Tenths being due, shall not be paid within 40 days after demand thereof made by the Bishop or his Officers, the Incumbent so making default, after Certificate thereof into the Exchequer under the Seal of the Bishop, shall be adjudged deprived *ipso facto* of all such Benefices as he hath at the time of such Certificate made, or at any time after ; and the Benefice or Benefices which he so hath, shall be adjudged void, as if he were dead.

XVI. The Bishop making such Certificate, shall be discharged of so much as is certified to be unpaid ; for the recovery whereof Process shall issue out of the Exchequer against the Incumbent, his Executors or Administrators, or (rather than the King shall lose it) against his Successor.

XVII. The Acquittances of the Treasurer of the Kings Chamber, or other Commissioners authorised to receive the Tenth, and all such Certificates, as aforesaid, shall be allowed in all Courts without further Warrant.

XVIII. No Officer of the Exchequer shall take any thing of the Bishop or his Collector for his Account or *Quietus est*, in pain to lose his Office, and to be Fined at the Kings Will.

XIX. They which pay Pensions to others out of their Spiritual Livings, may retain the tenth part thereof, and shall be therein protected by Plea upon this Act.

XX. No Pension shall be reserved upon the Resignation of a Benefice above the value of the third part thereof.

XXI. They who in one Corporation aggregate of many have several and distinct Possessions belonging to their respective Dignities, shall only pay for their own Possessions, and not for those of others.

XXII. No

XXII. No First-fruits shall be paid for a Benefice being not above the yearly value of Eight Marks, except the Incumbent live three years after his Induction or Collation thereunto : and there shall be an Exception inserted in the Obligation, that in case he live not out those three years, the Obligation shall be void, but if he out-live them, the First-fruits shall be paid by him, his Executors or Administrators.

XXIII. Fees payable by any Bishop or other Prelate for Temporal Justice, shall be defaulted out of the valuation of their several Dignities.

XXIV. Stat. 26 H. 8. 17. Farmers of Spiritual Persons shall not be compelled to pay First-fruits or Tenths for their Lessors.

XXV. Stat. 27 H. 8. 8. Every spiritual Person at his Entry into Speciality for the payment of his First-fruits, shall have deduction of the Tenth part thereof, in respect of the Tenth which shall be by him payable that year.

XXVI. Where the last Incumbent leaves the Tenth unpaid, the Successor may Distrain the said Incumbents Goods found upon the Benefice, and keep them until the Incumbent (if living) or (if dead) his Executors, Administrators, or other Owner of the said Goods, shall satisfy the Arrears; which if not done within 12 days, the Goods may be appraised upon Oath, and sold for the satisfying thereof, together with reasonable Costs; and in case there be no Distress, the Successor may prosecute the Incumbent (if living) or (if dead) his Executors, Administrators, or other Owner of his Goods, by Bill in Chancery, or Action of Debt, for the recovery of the same.

XXVII. Stat. 32 H. 8. 22. If a Bishop or any of his Deputies will make Oath that they cannot Levy a Tenth, they shall be discharged thereof upon their Account in the Exchequer; which Court shall also have power to examine the truth thereof by Witnesses or otherwise, and also to issue out Commissions, and to receive Certificates for that purpose.

XXVIII. If it be certified into the Exchequer by Commission or otherwise, that any Spiritual Promotion is omitted out of the Original Certificate of Tenths, which ought to have been there inserted, that Court shall have power to enter it into the said Original Record, to the end it may from thenceforth be chargeable therewith.

XXIX. Stat. 32 H. 8. 47. The Bishop of *Normich* and his Successors shall Collect the Tenths of all Spiritual Promotions within his Diocese, notwithstanding the Stat. of 27 H. 8. (not Printed) which did exempt them from the Collection thereof.

XXX. Stat. 34 & 35 H. 8. 17. The Tenths and Pensions reserved upon the Patents of the five new Bishops of *Chester, Gloucester,*

cester, Peterborough, Bristol, and Oxford, shall be paid in the Court of the First-fruits and Tenths, and not elsewhere. But note, that the Court was afterward annexed to the Exchequer by divers Acts of Parliament, and Patents of H. 8. and Queen Mary, See Courts.

XXXI. Stat. 2 & 3 E. 6. 20. The Penalty for default of payment of Tenths, shall be the forfeiture of that only Benefice out of which the same is due, notwithstanding the Stat. of 26 H. 8. 3.

XXXII. Stat. 7 E. 6. 4. The Collectors of Tenths shall before *Midsummer* next give good Security to save the Bishop harmless against the King.

XXXIII. The Bishop shall have the last day of *May* for the payment of Tenths, and for making Certificates for such as have refused to pay them, notwithstanding the Stat. of 26 H. 8. 3.

XXXIV. If a Benefice be void, so that no Tenth can be there received, the Bishop (upon Certificate) shall be discharged thereof; and then the King shall have it Levied upon the Glebe by way of Seizure.

XXXV. The Patent of a Collector of Tenths shall be good no longer than during the continuance of the Granter in the See.

XXXVI. Stat. 1 El. 4. The First-fruits and Tenths restored to the Crown; the Statutes prescribing the Grant and Order of them re-continued; the Stat. of 2 & 3 P. & M. 4. (by which they were taken away) Repealed; and they shall from henceforth be within the survey of the Court of Exchequer.

XXXVII. All Advowsons of Vicarages incident to any of the Queens Improvements, shall be re-settled in her, notwithstanding any Act done by Cardinal *Pool*, or Grant made by Queen *Mary*; saving unto all Persons (except such unto whom such Grants have been made) their Right and Interest into, or out of such Improvements.

XXXVIII. Pensions and all other yearly payments shall be paid as before the Act of 2 & 3 P. & M.

XXXIX. All Persons in Arrear for those Duties, shall not be answerable for them to the Queen.

XL. Vicarages of 10 *l. per annum*, and Parsonages of 10 Marks *per annum*, or under, shall not be chargeable with First-fruits.

XLI. If an Incumbent continue in the Benefice half a year after the last avoidance, and die, or be legally outed before the end of the year, he, his Executors, Administrators or Sureties, shall only pay a fourth part of the First-fruits: if he live out the year, and die, or be outed within six Months after the year, only half the First fruits shall be paid: and if he live out the year and half, and die, or be outed within one year, only the quarter thereof shall be paid.

XLII. Dis-

XLII. Discharge of First-fruits and Tenths, heretofore granted by any of the Queens Predecessors to the Universities, or the Colleges in them, or to those of *Baton and Winchester*, shall remain good notwithstanding this Act: also the Dean and Canons of *Windsor*, shall be from henceforth discharged thereof.

XLIII. All Grants of Improvements belonging to the Archdeaconry of *Wells* shall remain good notwithstanding this Act; yet the said Archdeaconry, and all Spiritual Promotions assigned to it, shall from henceforth pay First-fruits and Tenths.

XLIV. All Improvements, and other Profits or Emoluments Ecclesiastical, which were formerly within the Survey of the Dutchy Court of *Lancaster*, shall be re-continued, notwithstanding this Act, or that of 2 & 3 P. & M.

XLV. The Revenues of Hospitals and Schools shall not be charged with the payment of First-fruits or Tenths notwithstanding this Act.

 Fish, Fishers, and Fishing.

* I. *West. 2. 47. 13 E. 1.* None shall take Salmon betwixt the 8th of *September*, and the 11th of *November*, nor young Salmon with Nets or other Engines at Mill-Pools, betwixt the midst of *April* and the 24th of *June*, in pain of having their Nets and Engines burnt for the first Offence; for the second, to suffer a quarter of a years Imprisonment; for the third, a years Imprisonment, and after to have their punishment increased according to the Trespass. And in places where fresh Waters be, Overseers of this Statute shall be assigned and sworn to inquire of the Offenders.

II. *Stat. 31 E. 3. Stat. 2. 1.* No Herring shall be bought or sold in the Sea, nor before the Fishers be come into the Haven, and the Cable of the Ship be drawn to the Land.

III. *Stat. 31 E. 3. Stat. 2. 2.* The Order and time of bringing in and selling of Herrings at the Fair of *Great Yarmouth*, and there the Price of a Last of Herring shall be 40 s.

IV. There shall be no forestalling of Herrings, but they shall come freely unfold into the Haven.

V. No Piker shall buy any fresh Herring in *Yarmouth Haven* between the Feasts of *St. Mich.* and *St. Martin*, in pain of Imprisonment at the Kings will, and to forfeit the Herring so bought.

VI. No Piker of *London*, or of any other Place, shall enter into the Haven there to abate the Fair, in pain to forfeit the Vessel and all the Goods thereof.

VII. The Hostlers there shall be sworn before the Wardens of the Fair to treat their Guests well, and shall have 40 d. for every Last sold to others besides themselves, but for those sold to themselves they shall take nothing.

VIII. An Hundred of Herrings shall be an Hundred and Twenty, and a Last Ten Thousand.

IX. Merchants shall sell a Thousand of Herrings according to the Rate of the Last; and those of *Yarmouth* shall sell a Last of Red Herring bought for 40 s. for a Noble gain, and those of *London* for a Mark gain, when they bring them thither from *Yarmouth*, and not above.

X. Two Lasts of Shotten Herring fresh, shall be equal in Price with one Last of full Herring, and two Lasts of Shotten Herring Red, shall be sold a Mark dearer than a Last of full Red.

XI. The Pikers shall buy their Fish at *Kirkley*, or elsewhere upon the Coast, but not to unfurnish the said Fair, for the residue shall be brought to the Fair; and none shall sell Herring within seven miles of *Yarmouth*, but within the three Towns thereof, unless it be Herring of their own Fishing.

XII. The Barons of the five Ports are to have the Government of the Fair: and this Ordinance for buying and selling of Herring shall be observed in all other Towns where Herring is taken and sold.

XIII. Stat. 31 E. 3. Stat. 2. 3. The Chancellor and Treasurer, taking to them Justices and others of the Kings Council, shall ordain remedy touching the buying and selling of Stock-Fish of *St. Botolph*, Salmon of *Berwick*, Wines and Fish of *Bristute*, and elsewhere.

XIV. Stat. 31 E. 3. Stat. 3. 1. Doggers and Land Ships of *Blackney* Haven and the Coast thereabouts, shall discharge their Fish in the Haven, and not elsewhere, in pain of Imprisonment at the Kings will, to Forfeit their Fish, and it shall be sold on Ship-board.

XV. Stat. 31 E. 3. Stat. 3. 2. The Ordering and Prizing of Dogger-Fish and Loch-Fish at *Blackney* Fair in *Norfolk*.

XVI. None but Masters of Ships, and Mariners that exercise Fishing, shall buy Nets or Hooks in *Norfolk* to Fish withal.

XVII. Stat. 35 E. 3. All Persons may buy Herring in the Fair-time at Great *Yarmouth* openly, and not privily.

XVIII. No Man shall enter into a Bargain of Herring until the first Chapman hath done with it.

XIX. A Fisher may sell his Herring at any time when he cometh with it.

XX. Stat. 13 R. 2. 19. No Fisher shall use any Engine by which the Fry of Fish may be destroyed, upon the pains mentioned in the Stat. of *West*. 2. 47.

XXI. Salmon in *Lancashire* shall not be taken betwixt *Michaelmas* and *Candlemas*.

XXII. Conservators shall be sworn to see this Stat. observed, and the Offenders punished.

XXIII. Stat.

XXIII. Stat. 17 R. 2. 9. Justices of Peace shall be Conservators of the Statutes of *Westminster*, 2. 47. & 13 R. 2. 19. and shall have power to search all Wears, lest by their straightness the Fry of Fish may be destroyed.

XXIV. Justices of Peace shall have power to appoint and swear Under-Conservators, to hear and determine in Sessions, Offences of this kind, and to punish the Offenders by Imprisonment and Fine, whereof the Under-Conservator which informs is to have half.

XXV. The Mayor or Warden of *London* hath like power in *Thames*, from *Stanes* to *London*, and in *Medway*, as far as the Citizens Grant extends.

* XXVI. Stat. 22 E. 4. 2. None shall sell or set to sale any Salmon by Vessel before it be viewed, unless the Butt contain 84 Gallons, the Barrel 42 Gallons, and the half Barrel 21 Gallons, well Packed, in pain to forfeit for every Vessel 6 s. 8 d. And it shall not be sold or put to sale in any Vessel, unless it be well Packed: viz. the great Salmon by it self, without mingling any Grills or broken-bellied Salmon therewith; and the small Fish (called Grills) shall be packed by themselves without such mingling: in pain to forfeit for every Vessel otherwise packed and set to sale, 6 s. 8 d.

XXVII. None shall set any Herring to sale in Vessel, unless the Barrel contain 32 Gallons, and the half Barrel and Firkin accordingly: They shall also be well packed, of one times packing and salting, and as good and as well packed in the midst as at the ends, in pain to forfeit for every Vessel wanting Measure, 3 s. 4 d. and as much for not being packed by this Act.

XXVIII. None shall set to sale any Eels by Vessel, unless the Barrel contain 42 Gallons, and the other lesser Measures accordingly; neither shall any mingle red, gall-beaten, starved, or pulled Eels with good Eels, but pack the good Eels by themselves, nor put to sale any red Eels at all, in pain to forfeit for every Vessel wanting Measure, 10 s. and as much for every Vessel mixed, packed or set to sale contrary to this Act.

XXIX. None shall set to sale any Barrelled Fish, unless it be well packed, viz. the great Fish (called Tail-Fish, containing in length from the Bone in the Fin to the third Joynt in the Tail, 26 Inches) by themselves, and the lesser Fish (called Grills) by themselves, without mixing Thukes or Broken-bellied Fish therewith; neither shall the said Fish be laid double in the packing, nor the Napes thereof longer than the little Bone that resteth upon the great Fin, and the Bone shall be taken away to the Navil of every such Fish, which shall also be splatted within a handful of the Tail, in pain to forfeit for every Barrel of Fish otherwise ordered, 3 s. 4 d.

XXX. Head-Officers of the Corporations, Boroughs, Market-Towns, and other Places, shall appoint discreet Persons to search and gage Vessels of Fish, for the prevention of the aforesaid deceits.

XXXI. The forfeitures of this Act shall be divided betwixt the King and the Prosecutor. Howbeit, within a Franchise the Lord of the Liberty shall have the Kings part.

XXXII. Stat. 11 H. 7. 22. The Stat of 22 E. 4. 2. is confirmed, and the Gager, Searcher and Packers Fee appointed: viz for Gaging every Vessel of Fish, a Farthing; for searching and Packing (if need be) of a Barrel of Salmon, 1 d. for Boning, Napping, and Packing a Barrel of Fish (if need be) 1 d. for searching and packing a Barrel of Herring, 2 d. and as much for Eels; and so ratably for lesser Measures of Herring and Eels.

XXXIII. The Gager, Searcher or Packer shall take no more, and that only when they execute their Office, in pain to forfeit their Office, and to suffer 40 days Imprisonment without Bail.

XXXIV. Stat. 31 H. 8. 2. None shall Fish in any Pond, Stew or Moat in the Day-time without the Owners consent, in pain of three Months Imprisonment, and to find Sureties for their good behaviour. *But this is altered by 5 Eliz. 21. Vide infra.*

XXXV. Stat. 2 & 3 E. 6. 6. No Officer of the Admiralty shall take any thing of any person that goes to Trade for Fish into *Iseland, New-found-land, Ireland,* or other Places commodious for Fishing, for any Licence to pass, or otherwise in respect of such Voyage, in pain to forfeit for the first Offence treble the sum or value of the Reward so taken, to be divided betwixt the King and the Party grieved, or other Prosecutor: and for the second Offence to lose his Office, and to be Fined at the Kings will.

XXXVI. Stat. 1 Eliz. 17. None shall use any Net or Engine to destroy the Spawn or Fry of Fish, or take Salmon or Trouts out of season, or Pikes shorter than 10 Inches, Salmon than 16, Trouts than 8, and Barbles than 12; or shall use any Engine to take Fish, other than Angle or Net, or a Trammel of 2 Inches and an half mesh, in pain to forfeit 20 s. the Fish so wrongfully taken, and the Net or Engine wrongfully used.

XXXVII. All Persons having Jurisdiction of Conservancy upon Streams of Waters, and Lords of Leets, have power upon the Oaths of 12 Men, to hear and determine these Offences, and shall have all the forfeitures which accrue thereupon.

XXXVIII. The Steward of a Leet shall give this Statute in charge to the Jury, in pain of 40 s. to be divided betwixt the Queen and the Informer.

XXXIX. Here,

XXXIX. Here, if the Jury wilfully forbear to present Offences of this kind, the Steward or Bailiff shall Impanel another Jury to inquire of their default, which being found, the first Jury shall forfeit 20 s. apiece.

XL. Upon default of Presentment in Leets within one year, Justices of Peace in Sessions, Justices of Oyer and Terminer, and Justices of Assize in Circuits, have power to hear and determine the said Offences.

XLI. This Act shall not restrain the taking of Smelts, Leches, Minnows, Bull-heads, Gudgeons or Eels, with Nets or Engines formerly used, so that no other Fish be taken therewith; nor shall extend to abridge any former Privilege of Conservancy lawfully enjoyed, or Fishing in *Tweed*, *Uske*, *Wye*, or in Waters Let to Farm by the Queen, so that the Spawn or Fry of Fish be not therein wilfully destroyed.

* XLII. Stat. 5 Eliz. 21. None shall unlawfully break down Fish-Pond-Heads, or Fish there without licence of the Owner, or enter into any Charter-Park, Woods or other Grounds, and there kill or chase the Deer, or take any Hawks or Hawks Eggs, in pain to suffer three Months Imprisonment, and to be bound with good Sureties to the good behaviour for seven years after.

XLIII. The Party grieved shall in Sessions or elsewhere recover treble Damages against the Delinquent, and upon satisfaction shall have liberty to procure his release of the Behaviour.

 XLIV. Justices of Oyer and Terminer, Assize, Peace and Goal-delivery in Sessions, have power to hear and determine those Offences.

XLV. Justices of Peace upon the Offenders acknowledgment in Sessions, and satisfaction to the Party grieved, shall have power to release the Behaviour.

XLVI. Stat. 1 Jac. 1. 23. In the Counties of *Somerset*, *Devon* and *Cornwall*, it shall be lawful for Huors of Fish to go upon any mans Ground near the Sea-Coast to discover Fish, and for Fishermen to dry their Seams and Nets there, without danger of committing Trespas.

XLVII. Stat. 3 Jac. 1. 12. None shall erect a Wear or Weirs along the Sea-shore, or in any Haven or Creek, or within five miles of the Mouth of any Haven or Creek, or shall wilfully destroy the Spawn or Fry of Fish, in pain of 10 l. to be divided betwixt the King and the Prosecutor: neither shall any Fish in any of the said Places with any Net of a less mesh than three Inches and an half betwixt Knot and Knot, (except for the taking Smoulds in *Norfolk* only) or with a Canvas Net or other Engine, whereby the Spawn or Fry of Fish may be destroyed, in pain to forfeit the said Net or Engine, and 10 s. in Money, to be divided betwixt the Poor of the

Parish and the Prosecutor; and to be Levied in Corporations by the Head-Officers,  and in other places by Distress and Sale of Goods, upon a Warrant of a Justice of Peace, directed unto the Constables and Churchwardens of the same Parish for that purpose.

XLVIII. Stat. 13 & 14 Car. 2. cap. 28. None from the first of *June* to the last of *November* in any year, shall take Fish with any Drift-Net, Trammel or Stream-Net or Nets, or other Nets of that sort, within one League and a half of the Shore of *Cornwall* or *Devon*, on pain to forfeit the Nets or the value of them, and be one month Imprisoned.

XLIX. If any not being Owners, Partners or Adventurers in the Craft of Fishing, make Pilchards or Fumathoes in Cask, to be sold or Transported, except they buy them of the respective Owners, or with their leave, they shall forfeit them or their value, one half to the King, the other to the Informer.

L. Purloyners, Imbezellers, &c. of Pilchard-Fish shall satisfy treble the value, and be sent to the House of Correction for three months.

LI. Suspicious persons flocking together about the Boats, Nets, and Cellars belonging to the Pilchard-craft upon the Coast of *Cornwall* and *Devon*, being warned to be gone, and refusing, upon complaint to any Justice of Peace, shall pay 5 s. to the Poor of the Parish, or be set in the Stocks five hours.

LII. Stat. 15 Car. 2. cap. 16. No Herring of *English* catching shall be put to sale, but what shall be packed in lawful Vessels, and well laid and packed: and shall be of one time of taking, salting, or drying, and equally packed in every part of the Vessel, and by a sworn Packer: by whom the Vessel shall be marked with a Mark denoting the gage thereof, and the quantity and quality of Herrings, and the place where packed. The Bailiffs of Great *Yarmouth*, and the Head-Officers of every Port, &c. where any Vessels go to Fish for Herrings, before the first of *July* in every year, shall appoint Packers, and give them an Oath for well executing their Office, on pain to forfeit 100 l. half to the King and half to the Prosecutor.

LIII. No Vessel shall proceed upon a Fishing Voyage from *Iseland* or *Westmony*, out of any Port, &c. till the 10th of *March* in any year, on pain to forfeit such Ship and Fish caught. No person shall Levy or take in *New-found land* any Duty for any Fish of *English* catching, on pain to forfeit double the value of what he takes. None shall lay Nets in or near any Harbour in *New-found land*, to take the Spawn or young Fry of the *Poor John*, or for any other use, except for taking bait, on pain to lose such Nets and Fish taken, or the value, to be recovered in any of the Kings Courts in *New-found land*, or Courts of Record in *England*.

LIV. None shall destroy or steal any Uensils for Fishing or making

making Oyl, or other Goods left in any Harbour in *New-found-land* or *Greenland* by *English*: or destroy any House built there by *English* to live in during the Fishing Season, or Stage for ordering of Fish, or making Oyl, on pain to lose double the Value, to be recovered in any of the Courts aforesaid.

Vide Tit. Hunters and Hunting, Sect. XVII. An Act for preservation of Fishing in the River Severn, v. Severn.

☞ **Flax and Hemp.**

I. *Stat. 33 H. 8. 17.* None shall water any Hemp or Flax in any River, Running water, Stream, Brook, or common Pond, where Beasts be used to be watered, but only upon the Ground, in Pits ordained for that purpose, or in their own several Ponds, in pain of 20 s. to be divided betwixt the King and the Party grieved, or other Prosecutor.

Fools, Lunaticks and Mad-men.

I. *Prerog. Reg. 9. 17 E. 2.* The King shall have the custody of the Lands of natural Fools, taking the Profits thereof without waste, and finding them Necessaries, of whose Fee soever the Lands be holden; and after the death of such Idiots, shall render them to the right Heir; so that the Lands shall not be Sold, nor the Heir Disinherited.

II. *Prerog. Reg. 10. 17 E. 2.* The King shall provide that the Lands of Lunaticks be safely kept without Waste, and they and their Families, (if they have any) shall be maintained with the Profits thereof; and that the residue be kept for their use, and be delivered unto them when they come to right mind; so that the Lands shall not be aliened, neither shall the King have any Profits thereof to his own use: but if they die in such estate, the residue shall be distributed for their Souls by the Advice of the Ordinary.

☞ **Forcible Entry.**

* I. *Stat. 5 R. 2. 7.* None shall enter into Lands or Tenements by Force, in pain of Imprisonment, and ransom at the Kings pleasure.

II. *Stat. 15 R. 2. 2.* When forcible Entry is made into Land or Church-Livings, one or more Justices of Peace, taking sufficient Power, and going to the Place so kept by Force, may commit the Offender to the next Goal, there to remain Convict by the Justices Record, till he have made Fine and Ransom to the King. And herein the Sheriff and all others shall be Assistants, in pain of Imprisonment and great Fines making.

III. *Stat. 8 H. 6. 9.* The *Stat. of 15 R. 2. 2.* shall be duly put

266 Forests, Chases, Parks, Warrens.

put in execution both against forcible Entry and forcible Detainer, although it were after peaceable Entry; and all this at the Costs of the Party grieved.

IV. When complaint of any such Entry or Detainer shall be made to any Justice or Justices of Peace, he or they by Precept shall command the Sheriff to summon sufficient Jury, and having by them made enquiry of the Force committed, shall cause the Tenements to be Seized, and that as well in the absence as presence of the Party Offending. And here the Alienation of the Tenements (so entred into, or detained by Force) for Maintenance shall be adjudged void.

V. If the Jurors make default, Issues are to be set upon them by the Sheriffs thus; 20 s. upon the first Precept, 40 s. upon the second, 5 l. upon the third, and for every Default after, the Double.

VI. The Sheriff or Bailiff that shall neglect his Duty herein, shall Forfeit 20 l. to be recovered against him, as well before the Justices aforesaid, as before Justices of Assise, by Indictment or Bill, and to be divided betwixt the King and the Prosecutor.

VII. In an Assise of *Novel Disseisin*, or Action of Trespass against the Party guilty of forcible Entry, forcible Detainer and Alienation, as aforesaid, the Party grieved shall recover treble Damages.

VIII. Head-Officers and Justices of Peace of Corporations have like power within their Franchises, that other Justices of Peace have within Counties.

IX. This Statute shall endamage none where peaceable Possession hath been enjoyed by the space of three Years.

X. Stat. 31 El. 11. There shall be no Restitution upon an Indictment of forcible Entry or Detainer, where the Defendant hath been three Years next before in quiet Possession, and his Estate therein not ended.

XI. Stat. 21 Jac. 1. 15. Upon Force or Detainer, as aforesaid, a Justice or Justices of Peace have power to give Restitution of Possession as well unto Tenants for Years, by *Elegit*, Statute-Merchant or Staple, Copy-holders or Guardians by Knights-service, as unto those that claim Free-hold or Inheritance,

Forests, Chases, Parks, Warrens.

I. Chart. de Foresta, Cap. 1. 9 H. 3. All Forests Afforested by H. 2. shall be viewed by lawful Men; and if he hath Afforested any other Woods than his own Demesne, whereby any is prejudiced, they shall be disafforested, saving Common of Herbage and other things within the Forest, to such as have been accustomed to enjoy them.

II. Cap. 2. None dwelling out of the Forest shall come before the Justices of our Forest by common Summons, unless they

they be Impleaded there, or be Sureties for others that are Attached for the Forest.

III. Cap. 3. All Woods made Forest by *R. 1.* or King *John*, shall be Disafforested, unless they be our Demefn Woods.

IV. Cap. 4. All Free-holders having Woods in Forests, shall enjoy them as they did in the Coronation of *H. 2.* acquitted of all Purprestures, Wastes and Asserts made before the second Year of the Coronation of *H. 3.* and they that make them henceforward shall be answerable to the King for the same.

V. Cap. 5. Rangers of the Forests shall exercise their Offices as was used at the Coronation of *H. 2.* and not otherwise.

VI. Cap. 6. Lawing of Dogs shall be made in Forests from three Years to three Years by the view and testimony of Lawful Men, and not otherwise; and he that hath not his Dog Lawed shall be Amerced 3 s. also no Ox shall be taken for Lawing of Dogs: And it shall be done by the usual Assise, viz. that three Claws of the Fore-foot be cut off by the Skin. Howbeit, such Lawing shall not be but where it hath been used from the Coronation of *H. 2.*

VII. Cap. 7. No Forester or Beadle shall make Scotal, or gather Garb, Oats, Corn, Lamb or Pig, but by the sight and Oath of the 12 Rangers, when they shall make their Range: And there shall be so many Rangers assigned for the keeping of Forests as shall seem reasonably sufficient for the same.

VIII. Cap. 8. There shall be only three Swain-motes in the Year, viz. one 15 Days before *Michaelmas*, another about *Martinnas*, and the third 15 Days before *Midsummer*; at the first two of which none shall appear by Distress but the Foresters, Verdors and Gest takers, and at the others only the Foresters and Verdors: Howbeit, the Foresters and Verdors shall meet every 40 Days to see the Attachments of the Forests, as well for Green-hue as Hunting: And the Swain-motes shall not be kept but in the Counties where they have been used to be kept.

IX. Cap. 9. Every one having a Wood in the Forest, may Agist it, and take his Pawnage there at his pleasure: He may also drive his Hogs through the Kings Wood or elsewhere for that purpose; and if they lye all night in the Forests, he shall not be questioned for it.

X. Cap. 10. None shall lose Life or Member for killing of Deer, but shall be Fined for it, if he have any thing; if not, he shall be Imprisoned a Year and a Day, and (if he can find good Sureties) shall then be delivered; but if not, he shall abjure the Realm.

XI. Cap. 11. A Peer of the Realm, being sent for by the King, in coming and returning may Kill a Deer or Two in the Forest through which he passeth: Howbeit it must not be done privily, but by the view of the Forester, if present; but if absent, by causing one to blow a Horn for him, lest he seem to Steal the Deer.

XII. Cap.

XII. Cap. 12. Every Free-man may within the Forest (upon his own Ground) make a Mill, Spring, Pool, Marl-pit, Dike, or Arable Ground, without inclosing such Arable, so it be not to the Nuisance of any of his Neighbours.

XIII. Cap. 13. Every Free-man may have his Ayries of Hawks, Eagles and Herons, and also Honey found in his Woods within the Forest.

XIV. Cap. 14. No Chimmage or Toll shall be taken in Forests but by a Forester in Fee that Farms his Bailiwick, and only of such as buy their Bushes, Timber, Bark or Coal to sell it again, viz. 2 *d.* for a Cart, and 1 *d.* for an Horse, to be taken Half-yearly; and it shall only be taken where it hath used to be taken, and not elsewhere; neither shall any Chimmage be taken of such as carry Burthens of Bushes, Bark or Coal, albeit they sell it, unless they take them out of the Kings Demefne Woods.

XV. Cap. 15. All Persons Outlawed for Trespas in Forests since *H. 3.* shall be released, finding Sureties to offend no more.

XVI. Cap. 16. No Constable, Castellain or Bailiff shall hold Pleas of Forests for Green hue or Hunting, but the Forester shall Attach such Pleas, and present them to the Verdors of the Provinces, who shall Enrol them, and present them inclosed under their Seals unto the Chief Justice of the Forest, when he comes into those Parts to hold Pleas of the Forest, to be determined before him.

XVII. These Liberties of the Forest the King grants to all Men: Saving to all other Persons the Liberties and free Customs in Forests, Warrens and other Places, where they have formerly enjoyed.

XVIII. Merton. Cap. 11. 20 H. 2. The Lords demanded the Imprisonment of Trespasgers in their Parks and Ponds, but it was denied by the King, and so deferred.

XIX. West. 1. Cap. 20. 3 E. 1. Trespasgers in Parks or Ponds shall give treble Damages to the Party grieved, suffer Three years Imprisonment, be fined at the Kings pleasure, and give Surety never to offend in the like kind again: And if they cannot find Surety, they shall abjure the Realm, or being Fugitive shall be Outlawed.

XX. Stat. 21 E. 1. A Forester, Parker or Waryener shall not be questioned for killing a Trespasger, who (after the Peace cried unto him) will not yield himself, so it be not done out of some other former malice,

XXI. Ordinatio Foresta, 33 E. 1. Stat. 5. Those to whom the King hath granted Purliew (whereby their Woods are Disafforested) shall be quit of the Charge of the Forest, but then they are to have no Common there: howbeit, such as are willing to return their Woods into the Forest, shall enjoy Common and other Easements there as they did before.

XXII. Ordinatio

XXII. *Ordinatio Foresta.* 34 E. 1. cap. 1. Presentment of Trespases of Green-hue and Hunting in Forests, shall be made at the next Swain-mote by the Foresters within their several Bailiwicks, before the Foresters, Verdors, Regardors, Agistors, and other Ministers of the Forest, and they shall be also inquired of by the Oaths as well of Knights as other lawful Men, (not suspected) of the nearest Parts where the Trespases were committed: and the Presentments so inquired of shall be solemnly Confirmed and Sealed by the Seals of the said Ministers.

XXIII. *Cap. 2.* If any Officer die, or be otherwise hindred, that he cannot Present at the Swain-mote, the Justice of the Forest or his Lieutenant shall put another in his Place, that the Indictment may nevertheless be made by all, in Form aforesaid: Also Officers which are to be placed, shall be put as hath been used; except the Verdors, who shall be ordained by Election or Writ.

XXIV. *Cap. 3.* No Minister of the Forest shall be put upon any Assise, Jury or Inquest to be taken without the Forest.

XXV. *Cap. 4.* No Officer of the Forest shall surcharge the Forest, in pain to be Imprisoned by the Justice of the Forest or his Lieutenant; and he by whom they were placed shall be also punished at the Kings pleasure. At every Swain-mote inquiry shall be made of Surchargers, Foresters, and other Ministers there, and of oppressions done to the People, that reformation may be made.

XXVI. *Cap. 5.* Trespases committed in Grounds disafforested, shall be pardoned, yet so as the Hedges and Ditches shall be cast down and removed; saving the Kings Arrentations, which shall remain according to the Assise of the Forest: Also the Wood felled in the Forest shall be carried away, but that standing (though Sold) shall be preserved.

XXVII. *Cap. 6.* The Justice or his Lieutenant shall take Fines and Amerciaments of Indictes for Trespases committed there, and shall not tarry for the Eyre. Commoners restrained from their Commons by the Perambulation shall be restored to them again; saving the Kings Arrentations, as is aforesaid.

XXVIII. *Stat. 1 E. 3. Stat. 1. cap. 8.* None shall be taken or Imprisoned for Vert or Venison, unless he be taken with the manner, or else Indicted according to the Form of the Statute of 34 E. 1. And then the Warden of the Forest shall let him to Mainprise until the Eyre of the Forest, without taking any thing for his deliverance: And if the Warden will not so do, he shall have a Writ out of the Chancery of old ordained for Persons Indicted, to be Bailed till the Eyre.

XXIX. If the Warden after the Writ served deliver not the Person Indicted, to Mainprise, the Plaintiff shall have a Writ out

out of the Chancery directed to the Sheriff, to Attach the Warden to answer his Default before the King at a certain Day; and then the Sheriff (the Verdors being called to him) shall deliver the Person Indicted by good Mainprise in the presence of the said Verdors, and shall deliver the Names of the Mainpernors to the same Verdors to answer in the Eyre before the Justices.

XXX. If the Chief Warden be thereof Attainted, he shall be Awarded to pay treble Damages to the Party grieved, committed to Prison, and ransomed at the Kings will.

XXXI. Stat. 1 E. 3. Stat. 3. cap. 1. The great Charter, and also that of the Forest, are Confirmed.

XXXII. The Perambulations of Forests shall continue as they were bounded in the time of E. 1. and every County shall have a Charter thereof; and where they are not bounded, it shall be now done, and a Charter thereof shall be also made accordingly.

XXXIII. Stat. 1 E. 3. Stat. 2. cap. 2. Every Man having Wood within the Forest, may take House-boot and Hay-boot in his said Wood, without being Attached for the same by the Ministers of the Forest, so that it be done by the view of the Foresters.

XXXIV. Stat. 25 E. 3. Stat. 5. cap. 7. No Forester or other Minister there, shall gather any Victuals, or other thing, by colour of his Office, but what is due of old Right.

XXXV. Stat. 7 R. 2. 3. A Jury for the Trial of a Trespass within a Forest, shall give up their Verdict where they received their Charge, and shall not by Menace or otherwise be constrained to give their Verdict of a Trespass done in the Forest, otherwise than their Conscience will clearly inform them.

XXXVI. Stat. 7 R. 2. 4. No Officer of the Forest shall take or Imprison any without due Indictment, or *per main ouvre*, with his Hand at the Work (that is, being taken with the manner, or Trespassing in the Forest;) nor shall constrain any to make Obligation of Ransom against his will, and the Assise of the Forest; in pain to pay the Party grieved double Damages, and to be ransomed at the Kings will.

XXXVII. Stat. 22 E. 4. 7. If any having Woods in his own Ground within any Forest, Chase or Purliew, shall cut or cause the same (or any part thereof) to be cut, by the Kings Licence, (where such Forests, Chases or Purliew are his,) or without Licence, (where they belong to others,) he may keep them several and inclosed during seven Years next after their felling.

XXXVIII. Stat. 32 H. 8. 35. Every Justice of the Kings Forests, Chases and Parks, by Writing under the Seal of his Office, may make as many Deputies as he please, which shall have like power as the Justice himself hath.

XXXIX. Stat.

XXXIX. Stat. 16, 17 Car. 1. 16. An Act for the certainty of Forests, and of the Meers, Limits and Bounds thereof. See the Statute at large.

Forfeiture.

I. *Magna Charta, cap. 22. 9 H. 3.* The King will not hold the Lands of Persons convict of Felony, longer than a Year and a Day, and then they shall be delivered to the Lords of the Fee.

II. Stat. 17 E. 2. 14. The King shall have the Escheats of the Lands of Free-holders of Archbishops and Bishops, which happen in time of Vacation, to dispose of at his pleasure, the said Free-holders being attainted for Felony; saving to such Prelates the Service that thereto is due and accustomed.

III. Stat. 17 E. 2. 16. The King shall have all the Goods of Felons and Fugitives, and the Year, Day and Waste of their Land, and then the Land shall be delivered to the Lord of the Fee, who may also (if he please) compound with the King for the Year, Day and Waste.

IV. Here certain Lands are excepted, viz. 1. In *Gloucestershire*, where after the Year and Day the Land shall descend to the next Heir. 2. In *Kent*, (Lands called *Gavelkind*) where the Father may go to the Bow, and yet the Son to the Plough. And in *Gavelkind* all the Heirs-male shall divide the Inheritance, and so shall the Heirs female, but Women shall not make partition with Men: Also a Woman shall be endowed of the Moiety, and if she commit Fornication in her Widowhood, or Marry, she shall lose her Dower.

V. Stat. *De Catallis Felonum*, None taken for Felony, for which he shall be Imprisoned, shall be Disseised of his Lands or Chattels until he be Convicted thereof: but as soon as he is taken, his Tenements and Chattels shall be viewed by the Sheriff and other Officers of the King and lawful Men, and Inventoried, and kept by the Bailiff of him that is so taken, who shall give Surety to the Justices of the Chattels, or the Price; saving to the Accused and his Family their Necessaries as long as he shall be Imprisoned, and his reasonable Estover, so that when he is Convicted, the residue of his Chattels (besides his Estover) may remain to the King, with the Year and Day of his Lands; but if he be acquit, his Chattels shall be restored. *Vide Rast. Forfeiture 7.*

VI. Stat. 31 E. 3. Stat. 1. 3. If any charged with the Goods of Fugitives and Felons, will, in discharge of himself, alledge another that is chargeable therewith, he shall be heard, and right shall be done him.

VII. Stat. 34 E. 3. 12. There shall be no Forfeiture of Lands for Treason of dead Persons not Attainted in their Lives.

VIII. Stat.

Forger of false Deeds.

VIII. Stat. 1 R. 3. cap. 3. None shall Seise the Goods of any Arrested for suspicion of Felony, before he be Convict or Attainted thereof, or the same Goods be otherwise lawfully Forfeited, in pain to Forfeit to the Party grieved double the Value of the Goods so taken, to be recovered by Action of Debt, &c. wherein no Essoign, &c. shall be allowed.

IX. Stat. 11 H. 7. 1. None that Attends upon the King (for the time being) in his Person, and doth him faithful Service of Allegiance in his Wars within the Realm or without, or is in other Places at his Command, shall be Convict or Attainted of High Treason, or any other Offence for so doing, whereby he may Forfeit any thing, but shall be clearly discharged of all vexation and loss which he may incur by reason of the same. And if any Act or Process of Law hereafter happen to be made thereupon, it shall be void. Provided, that none shall take benefit by this Act, which shall hereafter decline from his Allegiance.

X. Stat. 24 H. 8. 5. If any be Indicted or Appealed for the Death of one attempting to murder, rob, or commit Burglary, (and so found by Verdict) he shall Forfeit no Lands or Goods for the same, but shall be fully acquit and discharged thereof.

**Forger of false Deeds.**

I. Stat. 5 EL. 14. If any alone or with others shall willingly, subtilly and falsly forge or make, or cause to be forged or made, any false Deed, Charter or Writing Sealed, Court Roll, or Will in Writing, to the intent that the Free-hold or Inheritance of Lands, or the Right or Title thereof, may be troubled, defeated or charged, or shall publish or shew forth in Evidence any such forged Writing as True, knowing the same to be False and Forged, and shall be thereof Convicted, upon an Action of Forger of false Deeds (to be founded upon this Statute) at the Suit of the Party grieved, or otherwise, he shall pay to the Party grieved double Costs and Damages, to be Assessed in the Court where such Conviction shall be, shall be set upon the Pillory in some Market-Town, or other open Place, and there have both his Ears cut off, and also his Nostrils slit and seared with an hot Iron; he shall also Forfeit to the Queen, her Heirs and Successors, the Issues of his Lands, and suffer perpetual Imprisonment during his Life: And the said Costs and Damages shall be first Levied upon the Goods and Issues of the lands of the Offender, notwithstanding the Queens Title thereunto.

II. For such Forging, &c. of a Lease for years of Lands, (not Copy-hold) or of an Annuity, Obligation, Bill, Acquittance, Release, or other Discharge of any Personal thing, the Offender shall pay double Costs to the Party grieved, to be Assessed as before, be set upon the Pillory, lose one of his Ears, and suffer a years Imprisonment without Bail.

III. The Party grieved may have his remedy for his double Costs and Damages by Original Writ out of the Chancery, as in case of Trespass, by Bill in the Kings Bench, or in the Exchequer, in which Suit no Essoign, &c. shall be allowed.

IV. Howbeit, he that is once punished for this Offence shall not after be Impeached for the same: and albeit the Plaintiffs release or discontinuance of Suit may discharge his own remedy, yet the rest of the Punishment shall be nevertheless inflicted by Judgment and Command of the Court.

V. The second Offence is Felony, without Clergy, whereof the Offender being Convicted or Attainted, he shall Forfeit his Lands and Goods as in other Cases of Felony; saving to all other Persons their Right, &c. neither shall such Conviction or Attainder extend to loss of Dower, or Disherison of Heir.

VI. Provided, this Act shall not extend to charge any Ordinary, Commissary or Official, for putting their Seal of Office to any Will, not knowing the same to be forged, nor for Writing such a Will, or the Probat thereof.

VII. Justices of Oyer and Terminer and Assize, in their Sessions shall hear and determine these Offences.

VIII. Provided, this Act shall not extend to any Proctor, Advocate or Register, for Writing, Setting forth or Pleading of any Proxy for the Appearance of any Person cited to appear in the Ecclesiastical Court, nor to any Archdeacon or Official for putting their Seal to such Proxy, nor to any Ecclesiastical Judge for admitting the same, nor to any Attorney or Counsellor for Pleading for giving in Evidence any such forged Writing, being not Party or privy thereunto, nor to any Person that shall plead or shew forth any Writing Exemplified under the Great Seal, or the Seal of any other Court of this Realm, nor to any Judge, Justice, or other Person that shall set any such Seal thereunto, not knowing the same to be forged.

 Forefallers, Regrators, Ingrossers.

* I. Stat. 5, 6 E. 6. 14. He or she that shall buy or contract for any Merchandize, Victual or other thing whatsoever (in the way) before it shall be brought (by Land or by Water) unto any City, Port, Road, Fair or Market, where it should be sold, or shall cause the same to be so bought, or shall

274 Forefallers, Regrators, Ingrossers.

disswade People from bringing any such Commodity to any such Place (or being brought) shall perswade them to inhance the Price thereof, shall be adjudged a Forefaller.

II. A Regrator is he that buys any Grain, Wine, Fish, Butter, Cheese, Candles, Tallow, Sheep, Lambs, Calves, Swine, Pigs, Geese, Capons, Hens, Chickens, Pigeons, Conies, or other dead Victual whatsoever, brought to a Fair or Market, to be sold there, and doth sell the same again in the same Fair or Market, or in some other Fair or Market within four Miles.

III. An Ingrosser is he that gets into his hands by Buying, Contract or Promise (other than by Demise, Grant or Lease of Land or Tythe) any Corn growing in the Fields, or other Grain, Butter, Cheese, Fish, or other dead Victual whatsoever, with intent to sell it again.

IV. The Party guilty of any of the Offences aforesaid, shall Forfeit for the first Offence the value of the Goods so bought or had, and suffer two Months Imprisonment without Bail; for the second, the double value, and suffer six Months Imprisonment without Bail; and for the third, shall Forfeit all his Goods, be set upon the Pillory, and be Imprisoned at the Kings pleasure.

V. This Act shall not restrain the buying of Barley or Oats to be converted into Malt or Oatmeal; nor the Provision of any Town-Corporate, Ship, Castle, Fort, *Berwick, Holy-Island, &c.* or any Fishmonger, Inn-holder, Victualler, Butcher, Poukterer, or People dwelling within one Mile of the main Sea, which use to buy and sell Fish, for any thing concerning their several Mysteries or Tradings, they Retailing the same at reasonable Prices; nor any Badger, Lader, Kidder or Carrier, assigned to that Office by three Justices of Peace, and delivering the Commodity out of his hand within one Month after he buys it; nor the taking of any thing reserved upon any Lease; so that all these things be done without Fraud or Forefalling.

VI. He that buyeth Grain in any Market for change of Seed, shall bring as much the same day, and sell it, if he can, according to the present Price of Grain there, in pain to Forfeit double the value of the Grain so bought.

VII. He that buys any Cattle, and sells the same again alive within five Weeks, shall Forfeit double the value thereof; during which time he ought to keep them upon Pasture, which he hath either by Grant or Prescription.

VIII. Justices of Peace in Sessions have power to hear and determine the aforesaid Offences by Inquisition, Presentment, Bill or Information, or by the Testimony of two Witnesses, and to exact the one half of the Forfeitures to the use of the King, and cause the other half to be Levied to the use of the Prosecutor by *Fieri facias* or *Capias*; and when the Prosecution

tion shall be at the Kings Suit only, to exact the whole to the Kings use.

IX. None shall be punished twice for the same Offence.

X. This Act shall not restrain the Transporter of Grain or Cattle from Port to Port (allowed by three Justices of Peace, and not Forestalling) so that he embark the same within forty days after he buys them, and bring back from some Justice of Peace or Head Officer a Certificate of their unlading agreeable to his Cocquer.

XI. The Offences against this Statute shall be prosecuted within two years.

XII. This Act shall not restrain a Drover allowed by three Justices of Peace (1 *Quon.*) and selling his Cattle at forty Miles distance from the Place where he bought them. Howbeit, such Allowance ought not to continue above one year.

XIII. Stat. 13 Eliz. cap. 25. in fine. The Statute of 5 & 6 E. 6. 14. shall not extend to Wines, Oyls, Sugars, Spices, Currans, or other Foreign Victual brought from beyond Sea, Fish and Salt only excepted.

XIV. For more ancient Statutes against Forestalling, see the Statute of Forestallers, 31 E. 1. and the Statute of Cloths, 25 E. 3. 3. which because they are altered by 5 & 6 Ed. 6. 14. I have not thought them fit to be inserted.

 Franchises and Liberties.

I. Magna Charta, cap. 1. 9 H. 3. The Church of England shall be free, and shall have all her holy Rights and Liberties inviolable.

II. Magna Charta, cap. 9. 9 H. 3. The City of London, and all other Cities, Boroughs, Towns, the Barons of the five Ports, and all other Ports, shall have all their old Liberties and free Customs.

III. Magna Charta, cap. 37. 9 H. 3. All free and ancient Liberties and Customs of all Persons, as well Spiritual as Temporal, are reserved; which the King himself promiseth to observe, and commandeth all Men of this Realm to do the like. He likewise farther promiseth, that neither he nor his Heirs shall procure or do any thing to infringe them; and that if any thing be so procured, it shall be void.

IV. Stat. De quo Warranto, 18 E. 1. If any can verifie by good Inquest or otherwise, that they or their Ancestors or Predecessors have used any Liberty, whereof they have been Impleaded by Quo Warranto before the death of R. 1. and have hitherto (not having abused such Liberty) they shall be Adjourned to a reasonable day before the Justices, within which time they may repair to the King with the Record thereof Signed by the Justices Seal, which done, the King will confirm their

Eftates: and if any Judgments have been given upon such Writs by the Justices at *Westminster*, upon the complaint of the Party grieved to the King, he will give them remedy.

V. All Pleas of *Quo Warranto* shall be from henceforth pleaded and determined in the Circuit of the Justices, and all Pleas now depending shall be adjourned into their proper Counties, until the coming of the Justices into those Parts. Note, *That this Statute was confirmed by another Statute, De quo Warranto, of the same year, and to the same effect.*

VI. Stat. *De quo Warranto*, 30 E. 1. The Form of a Writ to be directed to the Sheriff, to permit all Men to enjoy all such Liberties as they had before; and of a Proclamation, that such as claim Liberties, shall shew to the Justices (at the first Assizes when they shall come into those Parts) how they hold them; for which they shall have forty days Summons: and if they appear not, their Liberties shall be seized in the name of Distress. Also the Form of another Proclamation, that such as complain of the Kings Officers shall shew their Grievances to the said Justices.

VII. Stat. *De Tallagio non concedendo*, tempore E. 1. cap. 4. All Persons shall have their Laws, Liberties and Free Customs, as largely as they have used to have them when they had them best: And if any Statutes or Customs have been made or brought in by us or our Predecessors, or if any Article contained in this Charter be found contrary thereunto, they shall be void.

VIII. Stat. 1 E. 3. Stat. 2. 9. All Cities, Boroughs and Franchised Towns shall enjoy all their Franchises, Customs and Usages, as they ought and were wont to do.

IX. Stat. 14 E. 3. Stat. 1. cap. 1. Holy Church shall have her Liberties in quietness: The great Charter and that of the Forest, shall be holden in all Points: And the City of *London*, and all other Cities and Boroughs, shall enjoy all their Franchises and Customs which they have reasonably had and used in times past.

X. Stat. 25 E. 3. Stat. 3. 1. All Privileges and Franchises heretofore granted to the Clergy are Confirmed, and shall be holden in all Points.

XI. Stat. 6 R. 2. Stat. 1. 1. The Church of *England* shall have all her Liberties whole and unhurt, and the same shall fully enjoy and use.

XII. Stat. 7 R. 2. 1. Holy Church shall enjoy all her Liberties and Franchises, as she had them in the time of the Kings Progenitors. The like is granted in 2 R. 2. 1. 3 R. 2. 1. 5 R. 2. 1. 12 R. 2. 1. & 1 H. 4. 1.

XIII. Stat. 2 H. 4. 1. The Church shall have her Rights and Liberties. All Lords Spiritual and Temporal, Cities, Boroughs and Towns Enfranchised, shall enjoy their Liberties and Franchises,

ses, which they have lawfully used, or have had by the Grant of the Kings Predecessors, Kings of England. *Vide* 9 H. 4. 1. 13 H. 4. 1. 3 H. 5. 1. & 2 H. 6. 1. which are in effect the same, save that they except such Franchises as are repealed or repealable by the Common Law.

XIV. Stat. 27 H. 8. 24. None but the King shall have power to pardon Treason or Felony, or such as are accessory to, or outlawed for the same, notwithstanding any Grant, Usage, Prescription, Act, or other thing to the contrary.

XV. None shall make Justices in Eyre, of Assise, Peace, or Goal-delivery, but only the King, and that by his Letters Patents under the Great Seal, and notwithstanding any Grant, &c.

XVI. All Writs, Indictments and Processess in every County Palatine, or other Liberty, shall be made in the Kings Name, *Telle* the Owner of such County Palatine or Liberty: and here, in every such Writ and Indictment of any Offence against the Peace, it shall be supposed to be done against the Kings Peace, and not against the Peace of any other person, notwithstanding any Grant, &c.

XVII. Provided, that Justices of Assise, Goal-delivery and Peace in the County Palatine of *Lancaster*, shall be so made under the Kings usual Seal of *Lancaster*, notwithstanding any Act.

XVIII. Provided also, that Corporations which have power to have Justices of Peace and Goal-delivery, may have them still, notwithstanding this Act.

XIX. Stewards, Bailiffs and other Ministers of Liberties, shall attend the Justices of Assise and Goal-delivery and Peace, and make due Execution of Processess to them directed, within their Liberties: and the Bailiffs there, or their Deputies, shall also attend and assist the Sheriff at the Goal-delivery, for Execution of Prisoners.

XX. Provided, that the last Clause shall not be prejudicial to any Stewards or Bailiffs of Corporations, which are not compellable to attend or appear out of their Corporations.

XXI. The King shall have the Fines, Issues, Amerciaments and Forfeitures which shall be set upon, or lost by Stewards, Bailiffs, or other Ministers of Liberties, notwithstanding any Grant, &c. And Amerciaments for insufficient Returns made by such Stewards or Bailiffs, shall be set upon their Heads, and not upon the Sheriffs.

XXII. Purveyors may take Provision within Liberties, notwithstanding any Grant, &c. provided such Purveyors observe the Statutes made for them in that behalf.

XXIII. The Kings Officers may keep their Courts within the Verge, and his Clerk of the Market only shall Execute his Office there, notwithstanding any Liberty but *London*.

XXIV. All Statutes made against Sheriffs, Under-Sheriffs, Bailiffs, or other Ministers, for any Misdemeanor concerning their Offices, shall extend to Stewards, Bailiffs, and other Ministers of Liberties.

XXV. Stewards and Bailiffs of Liberties, and their Deputies and Clerks, may execute their Office above a year, notwithstanding this last Clause.

XXVI. All such Justices to be made as is afore-rehearsed in this Act, shall have power to hold their Sessions of Peace, and to deliver the Goals within their Liberties, and to execute all other things within the same, in as ample manner as other Justices of Peace and Goal-delivery do in any Shire, notwithstanding any Act, Grant, &c.

XXVII. The new Justices now to be made by the King within Liberties, shall sit where such Justices have commonly used to sit before; and none within the said Liberties shall be compellable to appear before any other Justices of the same Liberties.

XXVIII. Sir Thomas Englefield, now Justice of Chester and Flint, shall not be prejudiced by this Act.

XXIX. This Act shall not be prejudicial to Corporations, but they shall enjoy such Liberties, Fines, Issues, Amerciaments and Forfeitures, as they did before the making thereof.

XXX. The Bishop of Ely, and his Steward for the time being, shall be Justice of Peace within the same Isle, notwithstanding this Act; so also shall the Bishop of Durham and his Chancellor in that County Palatine, and the Bishop of York and his Chancellor in Hexam within that Precinct.

XXXI. Stat. 32 H. 8. 20. The same Franchises that the late Owners of Religious Houses had within three Months before their Dissolutions, shall be revived, and be actually in the King, and in the Survey of the Court of Augmentations; and the Stewards, Bailiffs and Ministers thereof shall account there, as other Officers Accountants of the King in that Court have done.

XXXII. The Franchises of the late Religious Houses which have come to the Kings hand by Attainder, shall be in the Order of the Court of General Surveyors; and the Stewards, Bailiffs and other Ministers thereof, shall Account there, as other Officers Accountants of the King in that Court have done.

XXXIII. The said Stewards and other Officers shall be Attendant and Obedient in all other the Kings Courts, as the Officers of the said late Owners were: and no Sheriff or other Foreign Officers shall intromit into their Liberties in any other manner than they lawfully might have done before the said Franchises came into the Kings Possession.

XXXIV. Every

XXXIV. Every Person may use all such Liberties as he hath by the Kings Grant or otherwise, notwithstanding this Act: also the Offices, Fees, Annuities and Profits of all Persons out of any of the Lands of the said Religious Houses are saved.

XXXV. Fines may be Levied in the Court of Augmentations of Lands within that Survey, to the Kings use, without Fee, and the Justices of the Common-Pleas shall receive and allow the same: also all Deeds and Obligations made to the Kings use, which concern the said Lands, may be there Enrolled without Fee.

XXXVI. Provided, that the Kings Officers may keep Court within the Verge, and his Clerk of the Market, and none other, execute his Office there, notwithstanding any Grant, &c. Neither shall this Act be prejudicial to the City of London.

XXXVII. The Lands of the late Monastery of Furnes, and of the late Monasteries and Priories of *Cartmole*, *Coningslead*, *Burrough*, and *Holland*, and the Liberties and Franchises belonging thereunto, shall be in the Government of the Officers of the Duchy of *Lancaster*: and the Officers of those Liberties shall be liable to Account as other Officers of the Duchy have used to be; they shall also be Attendant on the Kings Courts; and the Sheriff and other Officers are prohibited to intromit into those Liberties.

XXXVIII. This Act shall not annul or diminish any of the Liberties belonging to the said Duchy, or to the five Ports, or the Members thereof.

XXXIX. The Petition of Right, 3 Car. I. c. 1. None shall be compelled to make or yield any Gift, Loan, Benevolence, Tax, or such like Charge, without consent by Act of Parliament, nor upon refusal so to do shall be called to make Answer, take any Oath not warranted by Law, give Attendance, or be Confined, or otherwise Molested concerning the same, or for refusal thereof: Neither shall any Freeman be Imprisoned or Detained without cause shewed.

XL. The Subject shall not be burdened by the Quarter of Soldiers or Mariners: and all Commissions for proceeding by Martial Law shall be annulled, neither shall any of like nature be issued out hereafter, lest the Subject (by colour thereof) be destroyed or put to death, contrary to the Laws and Franchises of the Land.

XLI. What hath been done to the prejudice of the Subject in any of the Premises, shall not hereafter be drawn into consequence of Example: and the King declares his Pleasure to be, That in the things aforesaid, all his Officers and Ministers shall serve him according to the Laws and Statutes of the Realm.

Frauds and Fraudulent Conveyances.

I. Stat. 30 E. 3. 6. Fraudulent Assurance of Lands or Goods to deceive Creditors, shall be void, and the Creditors shall have Execution thereof, as if no such Gift had been made.

* II. Stat. 13 Eliz. 5. All fraudulent Conveyances of Lands, Tenements, Hereditaments, Goods or Chattels, and all such Bonds, Suits, Judgments and Executions made to avoid the Debt or Duty of others, shall (as against the Party only whose Debt or Duty is so endeavoured to be avoided, their Heirs, Successors, Executors or Assigns) be utterly void, any Pretence, feigned Consideration, or, &c. notwithstanding.

III. Every of the Parties to such a fraudulent Conveyance, Bond, Suit, Judgment or Execution, who being privy thereunto, shall wittingly justify the same to be done *bona fide*, and upon good Consideration, or shall Alien and Assign any Lands, Lease or Goods so to them Conveyed, as aforesaid, shall Forfeit one years value of the Lands, Lease, Rent, Common, or other Profit out of the same, and the whole value of the Goods, and also so much Money as shall be contained in such covinous Bond; and, being thereof Convicted, shall suffer half a years Imprisonment without Bail. And here the said Forfeitures are to be divided betwixt the Queen and the Party grieved.

IV. Common Recoveries against the Tenants of the Free-hold shall be good notwithstanding this Act: and so shall all Estates made for the procuring of a Voucher in *Formedon*. Neither shall this Act extend to Grants made *bona fide*, and upon good Consideration, to Persons not privy to such Collusion.

V. Stat. 27 Eliz. 4. Every Conveyance, Grant, Charge, Incumbrance, and Limitation of Use or Uses, of, in, or out of any Lands or other Hereditaments, made to defraud any Purchaser of the same in Fee, in Tail, for Life or Years, shall (as against such Purchaser only, and every other Person lawfully claiming from, by, or under him) be utterly void, the said Purchaser having obtained the same for Money, or some other good Consideration.

VI. Every of the Parties to such fraudulent Conveyances, or being privy thereunto, who shall justify the same to be made *bona fide*, and on good Consideration, to the Disturbance or Hindrance of the Purchaser, or of any other lawfully claiming from, by, or under him, shall Forfeit one years value of the Lands or other Hereditaments so purchased or charged, to be divided betwixt the Queen and the Party grieved; and, being thereof Convicted, shall suffer half a years Imprisonment without Bail.

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Irish.

VII. Conveyances made upon good Consideration and *bona fide*, shall be good, notwithstanding this Act.

VIII. If Lands be first Conveyed with Clause, Provision, or Condition of Revocation, Determination or Alteration, and afterwards sold or changed for Money or other good Consideration, before the first Conveyance was revoked, altered or made void, according to the power given thereby; in this case such first Conveyances shall be void against the Vendee, and all others lawfully claiming from, by, or under him. Howbeit no lawful Mortgage, made *bona fide* without Fraud, shall be impeached by this Act.

IX. All Statutes Merchant and of the Staple, shall within six Months after their Acknowledgment be Entred in the Office of the Clerk of Recognisances taken according to the Statute of 23 H. 8. 9. and the Clerk there (upon shewing the same) shall make Entry thereof, for which he shall have 8*d.* and no more.

X. Every such Statute, which is not within four Months after the Acknowledgment thereof delivered to be Entred accordingly, shall be void against the Purchaser of the Lands chargeable therewith, and against his Heirs, Successors, Executors and Assigns.

XI. The said Clerk shall within the said six Months make Entry of every Statute to him delivered, as aforesaid, and shall indorse thereupon the Day and Year of such his Entry, with his own Name, in pain to Forfeit for every Statute so brought unto him, and not Entred, as aforesaid, 20*l.* to be divided betwixt the Queen and the Prosecutor.

XII. The Clerk shall take for the search of a Statute but 2*d.* for every Years search, in pain to Forfeit to the Party grieved twenty times so much as he takes above, to be recovered in any Court of Record by Action of Debt, &c.

XIII. Provided, That this Act shall not extend to make good any Purchase made void by reason of any former Conveyance, so as the Party so making void the same, his Heirs or Assigns, were the first day of this Parliament in actual Possession of the Lands out of which any such Purchase, Lease, Charge or Profit was made.

XIV. Stat. 29 Car. 2. cap. 3. For Prevention of Fraudulent Practices endeavoured to be upheld by Perjury, be it Enacted, That all Leases, Estates, Interests of Free-hold, or Terms of Years, or any uncertain Interests in or out of any Lands, Tenements or Hereditaments not put in Writing, and Signed by the Parties making them, or their Agents authorised by Writing, shall have no greater effect than as Estates at Will, except Leases not exceeding three Years, whereof the Rent shall be two Thirds of the full value.

XV. No

XV. No such Estates or Interests, not being Copy-hold or customary Interest, shall be Assigned, Granted or Surrendred, unless by Deed in Writing, Signed *ut supra*, or by operation of Law.

XVI. No Action shall be brought after the 24th of June, to charge an Executor, on a special Promise to answer Damages out of his own Estate, or to charge the Defendant upon any Promise to answer for the Debt or Mis carriage of another, or upon an Agreement on Consideration of Marriage, or on any Contract or Sale of Lands, Tenements or Hereditaments, or any Interest concerning them, or on any Agreement not to be performed within a year after the making, unless such Agreement, or some Note thereof, be in Writing, and Signed by the Party to be charged, or some other by him authorised.

XVII. All Devises of Lands or Tenements shall be in Writing, and Signed by the Party Devising, or some other in his presence, and by his Direction, and Subscribed in his presence by three or four Witnesses, or else shall be void.

XVIII. No such Devise in Writing shall be revocable otherwise than by Writing, or by burning, tearing or cancelling the same by the Testator, or in his presence, and by his consent.

XIX. All Declarations or Creations of Trusts, shall be manifested by some Writing Signed by the Party, or by his Last Will in Writing, or else shall be void.

XX. Trusts resulting by Implication of Law, or transferred or extinguished by Act of Law, shall be as if this Statute had not been made.

XXI. Assignments of Trusts shall be in Writing Signed by the Party Assigning by such Last Will, or else shall be of none effect.

XXII. Sheriffs and other Officers, to whom any Writ or Precept shall be directed at the Suit of any Person, upon any Statute, Judgment or Recognisance hereafter to be had or made, may deliver Execution of all Lands, &c. whereof others shall be seised or possessed in Trust for him against whom Execution is sued. Trusts in Fee-simple shall be Assets to Heirs.

XXIII. Provided, That no Heir chargeable by reason of any Trust, made Assets by this Law, shall by reason of any Plea, or Confession of the Action, or suffering Judgment by *Nisi dedire*, or any other matter, pay the Condemnation out of his own Estate.

XXIV. Any Estate *pur autre vie* shall be Devisable by a Will, Signed and Subscribed, as aforesaid: and if no such Devise be, it shall be chargeable in the hands of the Heir, if it come to him by a special Occupancy as Assets by descent; else it shall go to the Executors, and be Assets in their hands.

XXV. Any Judge or Officer of any of the Courts at *Westminster*, that shall Sign any Judgments, shall (without Fee) set down the Day of the Month or Year of his so doing, upon the Paper or Record, &c. which he shall Sign, which shall be entred

entred upon the Margin of the Roll of the Record of the said Judgment: and such Judgments, as against Purchasers *bona fide* for valuable Consideration, shall be Judgments only from such Signing.

XXVI. No Writ of Execution shall bind the Property of Goods but from the time of its delivery to the Sheriff, Under-Sheriff, or Coroners, who upon receipt thereof (without Fee) shall Endorse on the back thereof the Day of the Month or Year when they received it.

XXVII. No Contract for the Sale of any Goods for 10*l.* or upwards, shall be good, except the Buyer actually receive part of them, or give something in Earnest, or some Note thereof in Writing be Made and Signed by the Parties to be charged, or their Agents.

XXVIII. The Day of the Month, and Year of the Inrolment of Recognisances, shall be set down in the Margin of the Roll; and no Recognisance shall bind Lands in the Hands of Purchasers *bona fide* and for valuable Considerations, but from the time of such Enrolment.

XXIX. No Nuncupative Will shall be good, where the Estate bequeathed exceeds 30*l.* that is not proved by the Oaths of three Witnesses, that were present at the making thereof, nor unless the Testator bid them, or some of them to bear Witness, That such is his Will: nor unless it were made in the last Sickness of the deceased, and in the House of his Dwelling, or where he had been Resident ten days or more, except where he was surpris'd from his own Home, and died before his Return. 4 & 5 *Ann. cap. 16.* Good Witnesses at Common Law shall be good Witnesses to prove such Nuncupative Will. See Washington, *Tit. Suits 25.*

XXX. After six Months passed after speaking the pretended Testamentary Words, no Testimony shall be received of such Nuncupative Will, unless the said Testimony were committed to Writing within six days after making the said Will.

XXXI. No Letters Testamentary, or Probat of any Nuncupative Will, shall pass the Seal of any Court till fourteen days after the Testators decease. Nor shall any Nuncupative Will be Proved, unless Process have issued to call in the Widow or next of Kindred to the deceased, to contest it, if they will.

XXXII. No Will in Writing of any Personal Estate, shall be Repealed by Words only, except the same be in the Life of the Testator committed to Writing, and read to him, and allowed by him, and that proved by three Witnesses.

XXXIII. Soldiers in actual Military Service, and Mariners at Sea, may dispose of their Personal Estates, as before the making of this Act.

XXXIV. Eccle:

XXXIV. Ecclesiastical and other Courts having Right to the Probat. of Wills shall retain the same, but subject to the Directions of this Act.

Free-hold.

I. *Matlbz. cap. 22, 52 H. 3.* None shall Distrain his Free-holders to answer for their Free-holds, or for any thing touching the same, without the Kings Writ; nor cause his Free-holders to swear against their Wills: for none may do that without the Kings Commandment.

II. *Stat. 15 R. 2. 12.* None shall be compelled to answer for his Free-hold, or for any other thing touching the same, or for any other thing real or personal, before the Council of any Lord or Lady: And if any be hereafter molested in that kind, and thereof complain to the Chancellor, he shall have remedy.

III. *Stat. 16 R. 2. 2.* The Statute of 15 R. 2. 12. shall be duly put in Execution; and if any Lord, Lady, or other do to the contrary, they shall forfeit 20*l.* to the King.

Fuel.

* *Stat. 7 E. 6. 7.* The Assise of Fuel shall hereafter be as followeth: Every Sack of Coal shall contain four Bushels of good and clean Coal: a Talshid shall contain in length four Foot besides the Carf: Every Talshid named of *one*, shall within a Foot of the midst be 16; of *two*, 23; of *three*, 28; of *four*, 33; and of *five*, 38 Inches about: Also every Billet shall contain in length 3 Foot 4 Inches, and being named a Single, shall contain 7 Inches and an half about; a Cast, 10; and two Casts, 14: Likewise a Fagot bound shall be 3 Foot long, and have the Band 24 Inches about, besides the Knot.

II. Billets of two Casts may be made without danger of Forfeiture, they being made according to the aforefaid Assise, and marked within 6 Inches of the midst: but a Billet of one Cast shall be marked within 4 Inches of the end thereof.

III. For every Talshid, Billet, Fagot, or Sack of Coals otherwise made and put to Sale, the Maker and Seller thereof shall Forfeit 3*s.* 4*d.*

IV. None shall buy any such Fuel but Wharfingers or Barge-men, or such as will burn the same, or will retail it to such as will burn it, in pain to Forfeit the treble value of the Fuel otherwise bought; neither shall any alter any Mark or Assise of Fuel, upon the like Forfeiture: All which Forfeitures are to be divided betwixt the King and the Prosecutor, but are not recoverable, unless prosecuted within a Year after the Offence committed.

V. Here,

V. Here, if the Offender be not able to satisfy the Forfeiture, he shall (upon Conviction by Witness or otherwise) be set upon the Pillory in the next Market Town on the Market-day at 11 a Clock, by Command of a Justice of Peace, or any other of the Kings Officers, having a Billet or Fagot bound to some part of his Body.

VI. Stat. 43 Eliz. 14. So much of the Statute of 7 E. 6. 7. as concerns the Forfeiture of 3 s. 4 d. is Repealed: But the Assise of Fuel ordained by that Act is still continued, and enjoined to be observed in *London, Westminster*, and all other Corporations where Tall-wood, Billet and Fagots are used to be sold.

VII. If any bring any Tall-wood, Billet or Fagot, to any City, Borough or Corporation to be sold there, or being brought shall put the same to Sale, not being made according to the Assise limited by the Statute 7 E. 6. 7. or hereafter by this Act, upon Information thereof, the Mayor or other Head-Officer of such City, Borough, or Corporation, shall swear six lawful Men there to enquire thereof; and if the said Fuel shall by them be found Faulty, it shall be by such Mayor or other Head-Officer delivered to the Overseers for the Poor there, to be distributed to the Poor there, as the said Overseers shall think fit.

VIII. Every Talshid Marked *one*, being round-bodied, shall contain 16 Inches and an half in compass, being half round, 19; and quarter cleft, 18 Inches and an half; being marked *two*, and round, 23 Inches; half round, 27; and quarter cleft, 26: marked *three*, and round, 28; half round, 33; quarter cleft, 32: marked *four*, and round, 33; half round, 39; quarter cleft, 38: and marked *five*, and round, 38; half round, 44; and quarter cleft, 43. All which are to be measured about within six Inches of the midst thereof, and are to contain the length limited by the Stat. of 7 E. 6. 7.

IX. In all other Forms of Cleaving of Tall-wood, which will not admit the former manner of Cleaving, nor any of these, the Letter of the said Statute of 7 E. 6. is to be observed.

X. Every Billet named a Single shall contain in compass, being round, 7 Inches and an half; and no Singles shall be made out of cleft Wood.

XI. Every Billet marked *one*, (called a *Cast*) being round, shall contain in compass 11 Inches; half round, 13; quarter cleft, 12 and an half; and marked *two*, (called *two Casts*) being round, shall contain in compass 16 Inches; half round, 10; and quarter cleft, 18 and an half. And all other Forms of Billet which will not admit the former manner of cleaving, and touching the length of Billet, the Letter of the said Statute of 7 E. 6. is to be observed.

XII. A Fagot shall contain in compass (besides the Knot) 24 Inches; and every Fagot-stick shall be three Foot long, except one, which may be but a Foot long, to stop and harden the Binding of the Fagot the better.



Fustians.

* I. Stat. 11 H. 7. 27. None shall Dress Fustians with any other Instruments than the broad Sheers, in pain of 20s. for every such Default, to be divided betwixt the King and the Prosecutor.

II. The Master and Wardens of Sheermen in London shall have power to search the Workmanship of such as use the broad Sheer, as well for Fustian as Cloth; and this Act shall be executed as well against Denizens as Strangers.

* III. Stat. 39 Eliz. 13. The Mayor of London or his Deputy, and the Master and Wardens of the Mystery of Clothworkers there, or such discreet Persons as the said Master and Wardens shall appoint, may make such Search as the said Master and Wardens of Sheermen might do together by the Statute of 11 H. 7. 26. And none shall resist such Search, in pain of 20 s. to be divided betwixt the King and the Prosecutor.

Gaging.

* I. Stat. 27. E. 3. 8. Stat. 1. A LL Wines White and Red, brought into the Kings Dominions, shall be lawfully Gaged by the Kings Gagers, or their Deputies, and none shall resist them, in pain to forfeit the Wines, to be Imprisoned, and to be Ransomed at the Kings Will.

II. If the Gager be not ready to do his Office upon request, or use Fraud therein, he shall pay to the Party grieved treble Damages, lose his Office, and be Imprisoned, and Ransomed at the Kings Will.

III. If the Vessel want due Measure, the value of that want shall be deducted out of the Price thereof.

* IV. Stat. 31 E. 3. 5. If any sell a Tun or Pipe of Wine not Gaged, he shall forfeit the same Wine, or the value thereof, to the King.

* V. Stat. 4 R. 2. 1. The former Statutes made for Gaging shall be duly put in Execution: and all other Vessels of Wine, Vinegar, Oyl, Hony, and other Liquors gageable, (brought into the Kings Dominions) shall be lawfully Gaged by the Gagers thereunto Assigned, or their Deputies; and if any resist them, or if they be found faulty, both the one and the other shall incur the pains ordered by the former Statutes.

VI. Stat.

VI. Stat. 14 R. 2. 8. None shall be molested for not Gaging of Rhenish Wines, nor incur any Forfeiture for the same, otherwise than hath been used of old time.

VII. Stat. 18 H. 8. 17. All Tuns, Pipes, Tiercians and Hogsheds of Wine and Oyl (to be sold within the Realm) shall be lawfully Gaged by the Kings Gager, or his Deputy, before they be sold, in pain to forfeit to the King the Wine, Oyl and Hony otherwise sold, or the value thereof.

VIII. If any sell any such Vessel wanting the due Measure, he shall abate so much of the Price as it wants of Measure, in pain to forfeit to the King the value of such Wine, Oyl or Hony otherwise sold.

IX. The Informer who will discover such Forfeitures to the Lord Treasurer or Barons of the Exchequer, shall receive half thereof for his Labour.

X. Stat. 23 H. 6. 16. The Gage-peny shall not be paid to the Gager, or any other in his name, before he or his Deputies have Gaged the Wines, and then he may take it, and no more.

XI. He or his Deputy shall (upon request) be ready to do their Office: and this Act is to be observed throughout the Realm, upon the pain comprised in the Statute of 27 E. 3. 8.

XII. Stat. 31 Eliz. 8. No Brewer shall sell or put to sale in *London*, the Suburbs, or within two miles compass of the Suburbs; any Beer or Ale in Butts, Pipes, Punchions, Hogsheds, Tierces, or such other Vessel brought from beyond Sea, and never lawfully Gaged within this Realm, before the same be lawfully Gaged, and the true Content thereof set down thereupon (by the Gallon appointed for Beer and Ale, according to the Standard) by the Master and Wardens of the *Coopers* of the City of *London*, or their Deputies: neither shall any Brewer sell or put to sale any Beer or Ale in such Vessel elsewhere in *England* or *Wales*, before the same be lawfully Gaged, and the true Content thereof set thereupon by such as by the Statute of 23 H. 8. 4. (*which see in Coopers*) are to have the Gaging of Barrels, Kilderkins and Firkins elsewhere in *England* and *Wales*, in pain to forfeit every such Vessel, and also the Beer and Ale therein, to him that will seise the same, and besides 10 s. for every such Vessel: all which Forfeitures are to be divided betwixt the Queen and the Prosecutor.

XIII. The Fees of the Gager shall be, for every Butt or Pipe a Penny, for every Punchion, Hogshhead or Tierce, an Halfpeny, and for every other Vessel after the like Rate.

XIV. This Act shall extend to Denizens as well as to Strangers; and the Gager may retain the Vessel until he be paid his Fee.

XV. The

XV. The Master and Wardens of the Coopers in *London*, or their Deputies or Deputy, within 48 Hours after request to them made, shall come to any Person in *London*, or the Precinct afore said, and shall Gage and Mark his Vessel, in pain of Forfeiting to him that makes such Request, 20 s. to be recovered by Action of Debt, &c.

XVI. This Act shall not extend to punish the Brewer that shall fill Vessels which are Imported, and after they are so filled, are immediately to be Exported, to be sent elsewhere out of this Realm.

Gigmills.

I. Stat. 5 & 6 E. 6. 22. None shall use any Gigmill for the working of any Woollen Cloth, in pain to Forfeit for every Cloth so used 5 l. to be divided betwixt the King and the Prosecutor.

Gold, Silver, and Goldsmiths.

* I. Artic. super Chart. cap. 20. 28 E. 1. None shall make, or cause to be made, any Vessel, Jewel, or other thing, of Gold or Silver, except it be of good and true Allay, viz. Gold of a certain touch, and Silver of the *Sterling* Allay or better; and none shall work worse Silver than Money.

II. No Vessel of Silver shall depart out of the Workers Hand until it be Assayed by the Wardens of the Craft, and Marked with the Leopards Head; neither shall any work worse Gold than of the Touch of *Paris*; and the said Wardens shall go from Shop to Shop to Assay Gold, whether it have the right Touch; and if any other be found, it shall be Forfeit to the King.

III. None shall make Rings, Crosses or Locks, nor set any Stone in Gold, unless it be Natural: and Gravers of Stones and Seals shall give to each their weight of Silver and Gold, as near as they can.

IV. The Jewels of base Gold which they have, they shall utter as soon as they can; and if they buy any such Work hereafter, they may buy it to work upon, but must not sell it.

V. The Goldsmiths of all other Places in *England* shall be governed by this Law, and one shall come from each Town to *London* to be ascertained of their Touch.

VI. If any Goldsmith offend against this Law, he shall suffer Imprisonment, and be Ransomed at the Kings Will.

VII. This Act shall not Impeach the Kings Prerogative.

VIII. Stat. 27 E. 3. 14. All Merchants, Denizens and Strangers, may Import Plate of Silver, and Billers of Gold, and all other Gold and Silver, to the Kings Bullion or his Exchanges, taking there Gold or Silver equal to the value: And any Man may take Foreign Coin without Impeachment, yet he may refuse it if he please.

IX. No Coin shall be current in the Kings Dominions but his own : neither shall any Export Gold, *Sterling*, or other Money, save only that which is new, except Merchants Strangers, who Importing Money, will employ the same within this Realm ; in which case they may export, without Impeachment, so much as they Import, for so much thereof as shall not be so employed. Howbeit, lawful search thereof ought to be made in the Port where they arrive, and the Money so Imported must be put in Writing by the Searchers, to the end they may not Export more than they Import. But here no Officer (by colour of such Search) shall unduly vex the Merchant Stranger.

X. All false Money shall be forfeited to the King.

* XI. Stat. 37 Ed. 3. 7. Every Goldsmith shall make his Work of Silver lawfully of the Allay of good *Sterling*, and shall have a proper Mark by himself, made known to such as shall be assigned by the King to Survey his Work of Allay.

XII. The Goldsmith shall not set his Mark thereunto until the Surveyors have made their Essay, as shall be ordained by the King and his Council : And when the Essay is made, the Surveyors shall set to the Kings Mark, and after the Goldsmith his Mark.

XIII. No Goldsmith shall take for Vessel white and full for the weight of a Pound (viz. of the Price of two Marks of *Paris* weight) but 18 *d.* as they do at *Paris*.

XIV. If the Goldsmith be found in default, he shall forfeit his false Metal to the King.

 Stat. 5 H. 4. c. 4. Against Multiplying Gold or Silver, Repealed under Conditions, per Stat. 1 W. & M. cap. 30.

* XV. Stat. 5 H. 4. 13. None shall Gild any Rings or other things made of Copper or Latten, save only Ornaments of the Church (besides Chalice, the Metal plainly appearing in some part thereof) in pain to forfeit 5 *l.* to the King, and Damages to the Party deceived by them.

XVI. Stat. 2 H. 5. Stat. 2. cap. 4. Goldsmiths shall Gild no Silver Wares but of the Allay of *Sterling*, and shall not take above 4 *s.* 8. *d.* for a Pound of *Troy* Silver so Gilt, and for more or less after the same rate, in pain to forfeit to the King the value of the thing otherwise sold.

* XVII. Stat. 8 H. 5. 3. None shall Gild Sheaths, or any Metal but Silver, and the Ornaments of Holy Church ; neither shall any Silver any Metal but Knights Spurs, and the Apparel appertaining to a Baron, or above that Estate, in pain to forfeit ten times the value of the thing so Gilt, and to suffer a years Imprisonment ; he also that will sue for the said Forfeiture shall have a third part thereof for his pains.

 XVIII. Justices of Peace have power to hear and determine the Offences committed against this Act.

* XIX Stat.

* XIX. Stat. 2 H. 6. 14. None shall sell any Work of Silver, unless it be as fine as *Sterling*, except what Sodder is necessary to be used therein, for which allowance shall be made accordingly.

XX. None shall put to Sale any Silver-Harness in *London*, before it be Touched, and also Marked with the Goldsmiths Mark, first made known to the Wardens of that Craft, in pain to forfeit the double thereof.

XXI. If the Keeper of the Touch mark such Harness with the Leopards-Head, which is not as fine as *Sterling*, he shall forfeit the double value thereof to the King, and Damages to the Party grieved.

XXII. *York, Newcastle, Lincoln, Norwich, Bristol, Salisbury, and Coventry*, shall have several Touches (according to the Ordinances of the chief Officers there) which shall be directed by the Orders of *London* upon the like Forfeiture.

XXIII. No Goldsmiths elsewhere, where there is no Touch, shall put to sale any Work of Silver under the fineness of *Sterling*, and shall set their Mark thereupon, before they so put it to sale, upon the like Forfeiture.

XXIV. All Justices of Peace may hear and determine the Offences committed against this Act: Howbeit, if the Mint-Master offend, he shall be punished according to the form of his Indentures. *Vide Stat. 2 H. 6. 12. in Title Money.*

* XXV. Stat. 4 H. 7. 2. No Finer of Gold and Silver shall Allay any fine Silver or Gold, nor sell it (save only to the Officers of the Mint, Changers, and Goldsmiths, for the amending of Coin and Plate, for which he shall receive the true value) in pain to forfeit the value of the Gold or Silver so Allayed or Sold, to be divided betwixt the King and the Finder.

XXVI. Neither shall any such Finer sell any Silver in Mass Molten and Allayed, in pain to forfeit the same, to be divided betwixt the King and the Finder.

XXVII. All fine Silver which is to be parted, shall be made so fine, that it may bear Twelve penny weight of Allay in a pound weight, and yet remain as good as *Sterling*: and every Finer shall put his several Mark upon such fine Silver, in pain to forfeit the value thereof, to be divided betwixt the King and the Finder.

XXVIII. No Goldsmith shall Melt or Allay any fine Silver, except it be for making Amels, Goldsmiths Work, or mending of Plate to make it as good as *Sterling*, neither shall he sell any Fine or Allayed Silver molten into Mass, to another Goldsmith, or to any other Person whatsoever.

XXIX. This

XXIX. This Ordinance shall be observed by all Goldsmiths, in pain to forfeit their Silver, or the value thereof, to be divided betwixt the King and the Finder.

* XXX. Stat. 18 Eliz. 15. No Goldsmith shall work, sell or exchange any Goldsmiths Ware of Gold under 22 Carrets fine, nor shall put more Sodder, Amel or other Stuffings in his Work than is necessary for the finishing thereof; neither shall he take above 12 *d.* for the ounce of Gold (besides the Fashion) more than the Buyer may be allowed for it at the Queens Exchange or Mint : in pain to forfeit the value of the thing sold or exchanged.

XXXI. No Goldsmith shall make, sell or exchange any Goldsmiths Ware of Silver less in fineness than 11 ounces and Two penny weight, or take above 12 *d.* for every pound weight of such Ware (besides the Fashion) more than the Buyer may be allowed for it at the Queens Exchange or Mint, nor put to sale any Silver Work before he hath set his own Mark to so much thereof as may conveniently bear the same, in pain to forfeit the value of the thing so sold or exchanged.

XXXII. If any Goldsmiths Work be marked and allowed by the Wardens or Masters of that Mystery, and be afterwards found faulty, the Wardens and Corporation of the said Mystery shall forfeit the value of the thing so sold or exchanged.

XXXIII. The said Forfeitures are to be divided betwixt the Queen and the Party grieved.

Vide Money.

Grants.

I. Stat. 3, 4 E 6. 4. An Exemplification of the Enrolment of the Kings Letters Patents under the Great Seal, shall be of as good force to be shewed or Pleased in behoof of the Patentees, their Heirs, Successors and Assigns, or of any other having any Estate from, by or under them, or any of them, or by any other means under the date of such Letters Patents, as if the Letters Patents themselves were produced.

II. Stat. 13 Eliz. 6. An Exemplification of the Enrolment of the Letters Patents by H 8. E. 6. Qu. M. Pb. & M. Qu. Eliz. or any of them, since the 4th of Febr. in the 27th year of H. 8. or hereafter to be granted by the Queen, her Heirs or Successors, shall be of as good force to be shewed or Pleased in behoof of the Patentees, their Heirs, Successors and Assigns, and every other Person having any Estate from, by or under them, or any of them, as well against the Queen, her Heirs and Successors, as against all other persons whatsoever, as if the Letters Patents themselves were produced.

Habeas Corpus.

I. Stat. **W**hensoever any *Habeas Corpus* shall be served ^{31 Car. 2.} upon any Officer, or other Person, or left at the Goal with any of the Under-Officers, within three days after that (unless the Commitment were for Treason or Felony expressed in the Warrant) the Prisoner, upon payment or tender of Charges, to be Endorsed on the Writ, not exceeding 12 *d. per* Mile, and giving his own Bond to pay the Charges of carrying him back, if remanded, and not to escape by the way, shall be brought, and the Writ returned, and the cause of his Imprisonment certified, unless the Place of Commitment be more than Twenty Miles distant; and if so, and not above one Hundred Miles, then within Ten Days; if further off, then within Twenty Days, and no longer.

II. Such Writs shall be Marked thus, *Per Stat. Tricesimo primo Caroli Secundi Regis*, and be Signed by the Person Awarding the same, and Persons committed (unless for Treason or Felony, as aforesaid) or detained out of Term, may, or any one on their behalf, complain to the Lord Chancellor or Keeper, or any Judge, who upon view of the Copy of the Commitment, or Oath of its being denied, shall upon request by such Persons, or any on their behalf, attested and subscribed by two witnesses, grant a *Habeas Corpus* under the Seal of their respective Courts, returnable immediately; and the Prisoner within two days after he shall be brought up, shall be discharged, entring into Recognisance with one or more Sureties, to appear in the Kings Bench next Term, or at the next Assises, Sessions, or general Goal-delivery, or such other Court where the Offence is Cognisable; into which Court the Writ, Return and Recognisances aforesaid, shall be certified; unless it shall appear that the Party is detained upon a Legal Process out of some Court, or by Warrant of some Justice of Peace, for Offences notailable.

III. Persons neglecting two Terms after their Imprisonment to pray a *Habeas Corpus*, shall not have any in Vacation-time in pursuance of this Act.

IV. Officers refusing to make their Returns, or bring the Prisoners, as aforesaid, or to deliver, within six Hours after demand, a Copy of the Commitment, shall for the first Offence forfeit to the Party grieved 100 *l.* and for the second 200 *l.* and be incapable to hold his Office.

V. No Person delivered upon any *Habeas Corpus*, shall be again committed for the same Offence, other than by Order and Process of Court; and Persons knowingly recommitting any contrary to this Act, shall forfeit to the Party grieved 300 *l.*

VI. Persons

VI. Persons Committed for Treason or Felony, expressed in the Warrant, upon Prayer in open Court, the first Week of the Term, or Day of the Sessions of *Oyer* and *Terminer*, or Goal-delivery, to be brought to Trial; if not Indicted the next Term, Sessions of *Oyer* and *Terminer*, or Goal-delivery, after such Commitment, shall upon Motion, the last day of such Term or Sessions, be let out upon Bail, unless it appear upon Oath, that the Kings Witnesses could not be produced that Term or Sessions. And if such Persons upon such Prayer shall not be Indicted and Tried the second Term or Sessions after Commitment, they shall be discharged.

VII. This Act shall not extend to any Person charged with Process in any Civil Cause.

VIII. Persons, Subjects of this Realm, Committed for any Crime, shall not be removed into Custody of any other Officer, unless by some Legal Writ; or where the Prisoner is delivered to the Constable, &c. to be carried to Goal: or sent by any Judge, or Justice of Peace his Order to a Work-house, or removed within the County, in order to a Trial or Discharge, or in case of Fire, Infection, or other necessity. Persons Signing any Warrants for Removal, contrary to this Act, or Counter-Signing the same, and the Officers obeying them, shall incur the Forfeitures above-mentioned, both for the first and second Offence, to the Party grieved.

IX. Prisoners may obtain their *Habeas Corpus* out of the Chancery or Exchequer, and the Lord Chancellor or Keeper, or any Judge denying any *Habeas Corpus* by this Act required to be granted, shall forfeit to the Party grieved 500*l*.

X. Writs of *Habeas Corpus* may run into County Palatines, Cinque-Ports, and other Privileged Places, and into the Isles of *Jersey* or *Guernsey*.

XI. No Subject inhabiting within the Realm, shall be sent Prisoner out of it into any other parts; Persons so Imprisoned may have an Action of false Imprisonment against such as Commit or Transport them, and all others Framing or Counter-signing any Warrant for such Imprisonment or Transportations or shall be assisting in the same; and shall recover treble Costs and Damages; which Damages shall not be less than 500*l*. Persons offending herein shall be disabled to bear any Office of Trust or Profit within the Realm, or Dominions thereunto belonging, and incur the Statute of *Præmunire*, and be incapable of any Pardon from the King.

XII. This Act shall not extend to such as shall agree by Contract in Writing with any Merchant or other Person to be Transported, and give earnest upon such Agreement, nor to Persons Convicted of Felony, and praying to be Transported, nor to the Imprisonment, or any thing relating thereto, of any Person before the first of *June*, 1679, nor to Per-

sons resident within this Realm that shall have committed any capital Offence in *Scotland, Ireland*, or any the Illands or Foreign Plantations of the King; but that such Persons may be sent to receive Trial as before this Act.

XIII. Persons offending against this Act shall not be Impleaded but within two years after the Offence committed, unless the Party grieved be then in Prison; and if so, then within two years after the decease or delivery of such Person.

XIV. After the Assises proclaimed, none shall be removed from the Common Goal upon any *Habeas Corpus* in pursuance of this Act, but shall be brought before the Judge of Assise in open Court.

XV. Defendants in Suits for Offences against this Law may Plead the general Issue, and give the special Matter in Evidence.

XVI. Persons Committed as Accessory before the Fact to any Petty Treason or Felony, or upon Suspicion thereof, or with Suspicion of Petty Treason or Felony, expressed in the Warrant of Commitment, shall not be Removed or Bailed by virtue of this Act.

Hats and Caps.

* I. Stat. 8 *Eliz.* 11. None by himself or any other shall work Hats or Felts with Foreign Wooll or Stuff, unless he hath been Apprentice, or Covenant-Servant seven Years at least to the Mystery of Hat or Felt-making, in pain to forfeit the Hats or Felts he shall make or cause to be made, and also 5 *l.* for every Month he shall so continue.

II. None shall make, sell, or cause to be made or sold, any thing of Felt but Hats, nor any Cap of any Woollen Cloth not Knit, nor dye, or cause to be dyed any Cap, with Bark or Swarf, but only with Copperas and Gall, or with Woad and Madder.

III. None shall Full in any Mill any Cap, until it be first well Scoured and Closed upon the Bank, and half Thicked (at least) in the Foot-stock.

IV. The Master and Wardens of Haberdashers in *London*, calling to them one of the Company of Cappers, and another of the Hat-makers, shall have power to Search (in *London*, and within three Miles round) all Cappers and Hatters, and to punish them that offend, by Fines or otherwise, as they do other Offenders in that Company. The like also shall be done by Mayors and other Head Officers in other Cities and Corporations elsewhere.

V. No Hat-maker shall retain above two Apprentices at once, or take any for less time than seven years, in pain to suffer for every Apprentice otherwise taken, a Months Imprisonment without Bail, and every such taking shall be void; and the

the Party so taking, shall be from henceforth disabled to have any more Apprentices than one.

VI. This Act shall not restrain a Felt or Hat-maker to imploy his own Children, nor extend to the making of Hats with Worsted Yarn in *Norwich*.

* VII. Stat. 1 Jac. 1. 17. The Forfeitures and Penalties given by the Statute of 8 Eliz. 11. and also by this present Statute, shall be divided betwixt the King and the Prosecutor.

VIII. None shall make, or cause to be made any Felt or Hat, unless he hath served Seven Years as an Apprentice in Felt-making, neither shall he retain any other than Journey-men who have lawfully Served in that Art, and Apprentices lawfully bound to the same, nor have above two Apprentices at once, nor those for less time than Seven Years, in pain to forfeit 5 l. for every Month he offends contrary to this Statute.

IX. None shall retain in the Art of Hat or Felt-making any Person born out of the Kings Dominions, in pain to forfeit 5 l. for every Month he so continues him.

X. This Act shall not prohibit Parents, lawfully exercising the said Art, to imploy their Sons in their own Houses, so that they be bound Apprentices by Indenture for Seven Years, which may not expire until they attain the Age of 22 Years.

XI. Felt-makers at the time of this Statute, and their Servants may so continue, albeit they have not served seven Years as Apprentices.

Havens, Harbours, and Rivers.

I. Stat. 2 H. 6. 15. None shall fasten Trinks or other Nets over Rivers to the destruction of the Fry of Fish, and disturbance of the common Passage of Vessels, in pain to forfeit 5 l. to the King: Howbeit, they may use them in seasonable times, so they draw them as other Fishers do their Nets, without fastening them, as aforesaid. And here, every Mans Right of Fishing is saved.

II. Stat. 4 H. 7. 15. The Mayor of *London* and his Successors shall have the like Conservation and Authority in all the Issues, Breaches and Ground overflown, as far as the Water ebbeth and floweth, grown out of the River of *Thames* (as touching the punishment for using unlawful Nets and Engines) as he hath within the same River.

* III. Stat. 23 H. 8. 18. & 27 H. 8. 23. Two several Acts were made to the same effect, for preservation of the Havens and Ports of *Plymouth*, *Dartmouth*, *Tinmouth*, *Falmouth*, *Fowey*, and other Ports in *Devon* and *Cornwall*: and that none should labour in Tin-works near the Fresh Rivers of those

those Havens: and those who labour in Tin-works should prevent the falling of Stones and Gravel into those Havens, upon a forfeiture. Also, if any should be troubled in the Stannary for executing this Act, such Suit should be void, ~~and~~ and if any should be Imprisoned by the Stannary, he should be discharged by a Justice of Peace: saving the Liberties of the Stannaries. *See the Statutes at large.*

* IV. Stat. 23 H. 8. 18. No Fish-garths or other Engines shall be set in *Ouse* or *Humber*: and with what Nets Men shall Fish there. *See this Statute at large.*

* V. Stat. 27 H. 8. 18. If any person do or procure any thing to be done to the annoying of *Thames*, making of Shelves there, by Mining, Digging, casting of Dung, Rubbish or other thing therein, or otherwise howsoever; or convey away any Boards, Stakes, Timber-work, Pillars, or other things, from the Banks or Walls thereof, except it be to repair them; or undermine any Banks or Walls there to the damage of the said River: he shall forfeit for every such Offence 5 *l.* to the King and the Mayor and Commonalty of *London*, to be recovered by the said Mayor and Commonalty.

VI. This Act shall not restrain the taking of Balast for Ships in the Shelves near the *Thames*, nor to carry away the Gravel, Earth or Rubbish found in the said Shelves.

VII. Stat. 31 H. 8. 4. The Mayor and Bailiffs of *Exeter* may break all Wears and other Lets in the River of *Exe*, and shall pay to the Owners and Farmers of so much Ground as they shall Dig the rate of Twenty years Purchase, or so much as shall be adjudged by the Justices of Assise in the County of *Devon*. *See this also at large.*

* VIII. Stat. 34 H. 8. 9. None shall cast or unlade out of any Ship or Vessel in any Haven, Road, Channel or River flowing or running to any Port-Town, City, Borough or other Town, any Ballast, Rubbish, Gravel, or other Wrack or Filth; but only upon the Land above the full Sea-mark, in pain of 5 *l.* to be divided betwixt the King and the Prosecutor.

IX. Stat. 27 Eliz. 20. It shall be lawful for the Mayor and Commonalty of *Plymouth* to dig a Trench six or seven Foot broad through all Grounds lying betwixt *Plymouth* and any part of the River of *Mew*, for conveying that River thither, and to repair it, and to do all other things necessary for the same, they paying the Owners and Farmers of the Grounds so to be digged the value thereof, to be Assessed by two Justices of Assise. Howbeit that Water shall not be conveyed through any Orchard, Garden, or to the hindrance of any Mill, without the Owners consent.

X. Stat. 27 Eliz. 21. An Act concerning *Orford Haven* in *Suffolk*.

XI. Stat.

XI. Stat. 27 Eliz. 22. An Act for making a new Chancel from the City of *Chichester* to the Suburbs there. See these two last Statutes at large.

XII. Stat. 3 Jac. 1. 18. An Act for the making of a new Trench to convey the Water from *Chadwel* and *Ammel* to *London*.

XIII. Stat. 4 Jac. 1. 12. An Act for the Explanation of the Stat. of 3 Jac. 1. 18. and to give power to the Mayor and Commonalty of *London* to convey the said Water in a Trunk or Vault.

XIV. Stat. 13 & 14 Car. 2. cap. 27. An Act for repairing of *Dover* Harbour. See the Statute at large.

XV. Stat. 16 & 17 Car. 2. cap. 12. An Act for making the River *Avon* Navigable from *Christ-Church* to the City of *New-Sarum*.

XVI. Stat. 22 Car. 2. cap. 2. An Act for repairing the Haven and Piers of *Great Yarmouth*. Vid. *Yarmouth*.

XVII. Stat. 29 Car. 2. cap. 10. Vid. *ibidem*.

Hawks, and Hawking.

I. Stat. 34 R. 2. 22. A Hawk taken up shall be delivered to the Sheriff, who after Proclamation made in the good Towns of the County, (if challenged) shall deliver her to the right Owner.

II. If the Hawk were taken up by a mean Man, and be not challenged within four Months, the Sheriff shall retain her, satisfying the Party for taking her: But if by a Man of Estate, who may conveniently keep an Hawk, the Sheriff shall restore her to him again, he answering for the Charge of keeping her.

III. If any do take away or conceal a Hawk, he shall answer the Value thereof to the Owner, and suffer two Years Imprisonment; and in case he be not able to answer the Value, he shall remain in Prison a longer time.

IV. Stat. 37 Ed. 3. 19. He that steals and carries away an Hawk, not observing the Ordinance of 34 Ed. 3. 22. shall be deemed a Felon.

Hearth-money.

I. Stat. 13 & 14 Car. 2. cap. 10. For Hearth-money, Intituled, *An Act for establishing an Additional Revenue upon his Majesty, his Heirs and Successors, for the better Support of his and their Crown and Dignity*. Repealed per Stat. 1 W. & M. cap. 10.

II. Stat. 15 Car. 2. cap. 13. Intituled, *Additional Act for the better Ordering and Collecting the Revenue arising by Hearth-money*. Repealed per Stat. 1 W. & M. cap. 10.

III. Stat.

298 **Heretick, Hexamshire, High-ways.**

III. Stat. 16 Car. 2. cap. 3. Intituled, *An Act for Collecting the Duty arising by Hearth-money, by the Officers to be appointed by His Majesty.* Repealed per Stat. 1 W. & M. cap. 10.

Heretick.

I. Stat. 29 Car. 2. cap. 9. The Writ *De Hæretico comburendo*, with all Proceedings thereon, and all punishments by Death, in pursuance of any Ecclesiastical Censures, are from henceforth utterly abolished.

Hexamshire.

I. Stat. 14 El. 13. *Hexam and Hexamshire*, with the Liberties thereof, shall be within the County of *Northumberland*.

High-ways.

I. Stat. 14 & 15 H. 8. 6. An Act was made for altering the High-ways in the Wild of *Kent*. See the Statute at large.

II. Stat. 26 H. 8. 7. The Stat. of 14 & 15 H. 8. shall extend to *Sussex*.

III. Stat. 37 H. 8. 3. An Act for keeping of *Huntington-Lane* near *Chester* in good repair. See the Statute.

* IV. 1 M. Parl. 3. cap. 5. Justices of the Counties of *Dorset* and *Somerset* shall Assess those Counties towards the repair of the Causeway lying betwixt *Shaftsbury* and *Sherbon*. See the Statute.

V. Stat. 2 & 3 P. & M. 8. The Constables and Churchwardens of every Parish shall yearly upon *Tuesday* or *Wednesday* in *Easter-week*, call together some of their Neighbours, and then make choice of two within the Parish to be Surveyors of the High-ways the Year following, who shall forthwith take that Office upon them, in pain to Forfeit 20 s. apiece. The said Constables and Churchwardens shall then also nominate four Days betwixt that time and *Midsummer* to be set apart for the Amendment of the High-ways, and shall give publick Notice thereof in the Church the next *Sunday* after *Easter*.

VI. The Officers and Days being thus appointed, every one having a Team, or Plough-Land either in Arable or Pasture, is chargeable to send two able Men with a Team and Tools convenient to Work eight Hours upon every one of those four Days, in pain to Forfeit 10 s. for every Day that Default is made: And every Cottager is bound to work himself, or to find a sufficient Labourer to Work for him, as aforesaid, in pain to Forfeit 12 d. for every Day.

VII. The

VII. The Surveyors have power to appoint, in stead of a Team, two able Labourers to work, as aforesaid, who shall not fail, in pain that the Party who shall send them shall Forfeit 12 *d.* for every Day that either of them makes Default.

VIII. Stewards in Leets have power to enquire after the Breach of this Act, and to set Fines upon such as make Default, at their Discretion; and shall within six Weeks after *Michaelmas* deliver Indented Estreats thereof under their Hands and Seals, viz. one to the Bailiff or High-Constable of the Liberty, and the other to the Constables and Churchwardens of the Parish where the Default was made.

IX. In Default of Presentment thereof in Leets, the Justices of Peace in Sessions shall enquire thereof, and set such Fines as they or two of them (1. *Qu.*) shall think fit; whereof the Clerk of the Peace shall also deliver Indented Estreats under his Hand and Seal, in like sort, as aforesaid.

X. Their Estreats shall be a sufficient Warrant for the Bailiff or Chief Constable to Levy the said Fines by way of Distress; and if no Distress can be found, or the Party do not pay the Fine within twenty Days after lawful Demand thereof, he, or they shall Forfeit double so much. All which Fines and Forfeitures shall be employed towards the Amendment of the High-ways.

XI. The Bailiff or High-Constable shall yearly betwixt the first of *March* and the last of *April*, render unto the Constables and Churchwardens, unto whom the other Part of the Estreats was delivered, a true Account of the Money received by him, in pain of 40 *s.* and the said Constables and Churchwardens have power to call the said Bailiff or High-Constable before two or more Justices of Peace (1. *Qu.*) to pass his Account; who have power to Commit him until he shall have satisfied all the Arrearages by him received, save 8 *d.* in the Pound for his own Fee, and 12 *d.* in the Pound for the Fee of the Steward or Clerk of the Peace. And in this case, the succeeding Constables and Churchwardens have the same power that their Predecessors had.

* XII. Stat. 5 *El.* 13. It shall be lawful for the Surveyors to turn a Water-course (hurtful to the High-way) into any Mans Ditch, or to take Rubbish ready digged in or near any Mans Quarter; and for default of Gravel, &c. elsewhere, to dig in any several Ground, so they forbear to dig in Houses, Orchards, Gardens and Meadows; or to make a Pit above ten Yards: But if they fill not the Place again with Earth (to be done at the Costs of the Parish) within one Month after it shall be so digged, they shall Forfeit five Marks to the Owner of the Ground, to be recovered by Action of Debt.

XIII. The

XIII. The Hedges and Ditches adjoining to the High-way, shall be kept low and scoured, and the Trees and Bushes growing in the High-way, cut down by the Owners of the Grounds which shall be inclosed by the said Hedges and Ditches.

XIV. In stead of the four Days appointed by the Statute of 2 & 3 P. M. 8. six Days hereafter shall be observed.

XV. The Surveyors, or one of them, shall Present every Default within one Month after it shall be made, to the next Justice of Peace, in pain of 40 s. and the said Justice of Peace shall certify the same Presentment at the next general Sessions, in pain of 5 l. where the Justices shall have power to enquire of the Default, and shall set such Fine upon the Delinquent as they, or two of them, (1. Qu.) shall think fit.

XVI. Here the Presentment of a Justice of Peace in Sessions, upon his own knowledge, shall be a good Conviction, whereupon the Justices in Sessions, or any two of them, (1. Qu.) may Assess a Fine, as well as upon a Verdict of 12 Men. Howbeit the Delinquent shall here be admitted to his Traverse, as in other cases.

XVII. The Fines Assessed in Sessions shall be Estreated by the Clerk of the Peace, Levied, Accounted, and Employed, as by the Statute of 2 & 3 P. M. 8. is provided.

XVIII. Stat. 18 El. 10. A Subsidy-man according to 5 l. in Goods, or 40 s. in Lands, not chargeable towards the High-ways by the Stat. of 2 & 3 P. M. 8. shall find two able Men to labour in the Ways, as by the said Statute is appointed.

XIX. Every Person having a Plough-Land in several Parishes, shall be chargeable with a Team or Draught in that Parish only where he dwells; Howbeit having intire Plough-Lands in several Parishes, he shall for every one of them find a Team in the several Parishes where they lie, although he be not Inhabitant there.

XX. Every Person not scouring his Ditches, or not keeping low his Hedges, Trees and Bushes, according to the Stat. of 5 El. 13. shall Forfeit for every such Default 10 s. and he that scoures not his Ditches in the Ground next adjoining to the Ground which is next the High-way, to the end the Water may have the better passage over the said Ground next the High-way, shall Forfeit 12 d. for every Rod so left unscoured.

XXI. None shall cast the scouring of his Ditch into the High-way, and suffer it to lie there six Months, in pain to Forfeit 12 d. for every Load: And it shall be lawful for the Surveyors to make Sluces where any such Banks have been heretofore cast up.

XXII. The Penalties forfeited upon this Statute shall be Levied by the Surveyors for the time being by Distress and Sale of Goods, and shall be employed towards the Amendment of the

the High-ways : but if the Surveyors neglect to do it within one Year after the Offence committed, the Constable and Churchwardens shall do it, according to the Provisions of the before cited Statutes.

XXIII. Justices of Assise, Oyer and Terminer, Justices of Peace in Sessions, Stewards in Leets, have power to hear and determine the said Offences.

XXIV. Certain Provisions for the repair of *Kings Ferry* in the Isle of *Shepey*, and of the Ways leading thereunto.

XXV. Stat. 39 *El.* 19. An Act for the repair of the Highways in the Wilds of *Suffex*, &c. used for Iron-works, where-in Justices of Peace have power to meddle. See the Statute at large.

XXVI. Stat. 13 & 14 *Car.* 2. cap. 2. An Act for repairing the High-ways and Sewers, and paving and keeping clean of the Streets in and about the Cities of *London* and *Westminster*, and for reforming Annoyances and Disorders in the Streets of and Places adjacent to the said Cities, and for the regulating and licensing of Hackney-Coaches, and for the enlarging of several straight and inconvenient Streets and Passages. This Act to be in force till the end of the first Session of the next Parliament. *Expired.*

XXVII. Stat. 13 & 14 *Car.* 2. cap. 6. An Act for enlarging and repairing of common High-ways. This Act shall continue to the end of the first Session of the next Parliament, and no longer. *Expired.*

XXVIII. Stat. 15 *Car.* 2. cap. 1. An Act for repairing the High-ways within the Counties of *Hertford*, *Cambridge* and *Huntington*. Expired as to *Cambridge* and *Huntington*. Revived for 15 Years, per Stat. 4 & 5 *W. & M.* Sess. 4. cap. 9.

XXIX. Stat. 16 & 17 *Car.* 2. cap. 10. An Act for continuance of a former Act for repairing the High-ways within the County of *Hertford*. See the Statute. Revived for 15 Years, per Stat. 4 & 5 *W. & M.* Sess. 4. cap. 9. Continued for 15 Years, per 5 *An.* Sess. 2. cap. 11.

XXX. Stat. 22 *Car.* 2. cap. 12. Every Constable or Surveyor of the High-ways, neglecting to put the Acts touching repairing, &c. High-ways in execution, or wilfully suffering any Wagons or Carts to pass in other manner than by this Act is allowed, shall upon complaint to a Justice of Peace, by the Oath of one Witness, or view of the Justice himself, be Convicted, and incur such Fine as the Justice shall impose, not exceeding 40 s. to be Levied by the High-Constable or other Officer, by Warrant under Hand and Seal of such Justice, to be employed for the Amending the High-ways of the Parish or Place where such neglect shall be.

XXXI. Trustees of Lands given for maintenance of Highways, &c. shall Let them to Farm at the most improved yearly

lv Rent without Fine. The Justices of Peace in their open Sessions may order the improvement and employment thereof (other than of Lands given to Colleges and Halls in either University that have Visitors of their own) according to the Will of the Donor, if they find that the Persons entrusted have been faulty.

XXXII. Persons Convicted, as aforesaid, of resisting any employed in the Execution of this or any the Acts before mentioned, or of rescuing Goods Distrained by virtue of them, shall Forfeit 40 s. which if they pay not within seven Days after notice of such Conviction, any Justice of Peace near the Place may commit them to the County-Goal, till payment to the Surveyors of the High-ways for that Parish, for Amendment of those High-ways.

XXXIII. Actions for any thing done by means of this Act, shall be laid in the proper County: And the Defendants may Plead the General Issue, and if there be a Verdict for the Defendant, or the Plaintiff be Nonsuit, or Discontinue, the Defendant shall have treble Costs. Where the High-ways cannot be Amended before the Nativity of St. *John Baptist* yearly, they shall be repaired before the Feast of St. *Luke*, without incurring any Penalty for not doing thereof before the Nativity of St. *John Baptist*. Defects of repairs of High-ways or Bridges, shall be presented only in the County where they lie, nor shall any such Presentment or Indictment be removed, till it be Traversed, and that Judgment be thereupon given.

XXXIV. The Occupiers, and where there are none, the Owners of Lands, Houses, &c. adjoining to the High-ways, Streets, &c. in the Suburbs and Liberties of *London*, Borough of *Southwark*, and City and Liberty of *Westminster*, which are or shall be paved, shall be liable to the Scavengers Rates, as by 14 Car. 2. cap. 2. is appointed, and where any Ground lies so as there may be a Dispute who ought to Amend the same, the Justices of Peace in their Quarter Sessions shall determine it.

XXXV. No Carriage with any Burden (other than such as are employed about Husbandry, and in carrying Hay, Straw, Corn unthreshed, Coal, Chalk, Timber for Shipping, Materials for Building, Stones, or Ammunition, or Artillery for the Kings Service) shall go in any High-way with above five Horses at length: And if any draw with more Horses or Oxen, they shall draw all in Pairs, except one Horse. *This last Section Explained per Stat. 7 & 8. W. 3.*

XXXVI. Owners of Carriages or Beasts offending, shall Forfeit 40 s. for every Offence, one Third to the Surveyors of the High-ways in the Town, &c. where committed, for the repair of them; another Third to the Overseers of the Poor of the Parish

Parish where, &c. another third to him that shall discover the same, to be Imposed and Levied as the Penalties Imposed by this Act on Constables and Surveyors, for neglecting to put the Laws in Execution.

XXXVII. Where the usage is to carry Materials for such Amendment on backs of Horses, or by other Carriages, the Inhabitants shall send them in, with able Persons to Work with them, in like manner, and under the like Penalties as is appointed for Carts and Teams.

XXXVIII. If any fail to make their Days Labour, or neglect to send their Carriages, &c. the Surveyors shall complain to the next Justices of Peace, who upon Oath thereof by one Witness, may Levy by Distress and Sale of Goods, for every Day-Labourer neglecting, without a reasonable Cause, 1 s. 6 d. for every Man and Horse, 3 s. and for every Cart with two Men, 10 s. which Penalties shall be employed for repairing the High-ways in every respective Place and Parish.

XXXIX. The Surveyors and Orderers of the High-ways shall be yearly chosen by such Persons as by 2 & 3 P. & M. cap. 8. is appointed, upon some Day in Christmas-week, and shall appoint six Days for providing Materials for amendment of the High-ways, giving publick Notice before the several Days, (at which Days all Persons liable to the said Work shall attend) and shall make return of the Defaulters within a Month after every Default, to some Justice of Peace, who shall Present the same at the next Quarter Sessions; and Offenders against this Act in all cases not particularly directed by this Act, shall incur the Penalties inflicted by the Laws now in force for amending High-ways.

XL. For ten Years next following the Justices of Peace in the Counties of *Cheshire* and *Lancashire*, upon Presentment of the Jury at their Quarter Sessions, may by Warrant under the Hands and Seals of the Major part of them, being six at the least, then present, cause to be erected new Bridges in High-ways where they judge necessary, and repair such as were demolished in the late War: and charge their whole Counties, or any Hundred or Hundreds therewith, to be Levied, as by the 22 H. 8. cap. 5. *Quod Vide Title Bridges.*

XLI. Stat. 30 Car. 2. cap. 5. An Act for Repealing Certain words in a Clause in a former Act of 14 Car. 2. cap. 6. Intituled, *An Act for Enlarging and Repairing common Highways.*

Holy-days, and Fasting-days.

* I. Stat. 2 & 3 E. 6. 19. An Act prohibiting Flesh to be eaten on Fish Days. *But see a greater Penalty inflicted 5 El. 5. Infra in Ships.*

II. Stat.

II. Stat. 5 & 6 E. 6. 3. Holy-days and Fasting-days are appointed. *But 1 M. Parl. 1. cap. 2. this Act is Repealed: and afterwards by 1 Jac. 1. 25. 1 M. is Repealed: And therefore Quære whether it had been now in force, unless it had been revived by special words.*

III. Stat. 1 Car. 1. cap. 1. All concourse of People out of their own Parishes for any Pastime whatsoever, as also Bear-baitings, Bull-baitings, Enterludes, common Plays, and all other unlawful Pastimes, are prohibited on the Lords-day.

IV. The Offender against this Law being thereof Convicted by the view of one Justice of Peace (in the Country) or by a Chief Officer (in a Corporation) or by his own Confession, or by the Oath of one Witness, before one such Justice or Officer, shall Forfeit 3 s. 4 d. to the use of the Poor where the Offence is committed, to be Levied by Distress and Sale of Goods (upon Warrant from the same Justice or Officer) by the Constables or Churchwardens of the same Parish; and in case no Distress can be had, the Offender shall sit in the Stocks three Hours: But this Offence ought to be prosecuted within one Month after it shall be committed. And if the Officer be questioned, he shall Plead the General Issue, and yet give the special Matter in Evidence.

* V. Stat. 3 Car. 1. cap. 1. No Carrier with his Horse, Waggoner with his Waggon, Car-man with his Cart, Wainman with his Wain, or Drover with his Cattle, shall Travel upon the Lords-day, in pain to Forfeit 20 s. for every such Offence.

VI. No Butcher shall kill or sell any Victual upon the same day, in pain of 6 s. 8 d.

* VII. Here the Conviction of the Offender, and the Levying and Employment of the Forfeitures are the same with those of the former Statute: Save only that here two Witnesses are necessary, and the Forfeitures may also be recovered by a Prosecutor in the Sessions of the County or Corporation where the Offence was committed: and in that case the Justice or Head-Officer may allow the Prosecutor part of the Forfeitures, but not above a third Part.

VIII. This Action shall be prosecuted within six Months: and here also the Officer may Plead the General Issue.

IX. Stat. 12 Car. 2. cap. 14. All Ministers and their Successors shall annually Celebrate the 29th of May, by rendring Praises and Thanksgivings for the Kings Restauration, and all Persons shall resort upon that Day to some usual Place where such Publick Thanksgiving shall be rendred. Ministers shall give Notice to their Parishioners at Morning Prayer the Lords-day next before, and shall then read this Act to the People. *Confirmed 13 Car. 2. cap. 11.*

X. Stat.

X. Stat. 12 Car. 2. cap. 30. Every 30th of January, unless it falls upon a Lords-day, and then the Day after, shall be observed in all Churches and Chapels in the Kings Dominions, as a Day of Fasting and Humiliation for the Murder of King Charles the First. *Confirmed 13 Car. 2. cap. 7.*

XI. Stat. 29 Car. 2. cap. 7. All Laws in force concerning the Observation of the Lords Day shall be put in Execution: and all Persons shall on every Lords-Day exercise themselves in Duties of Piety, publicly and privately: No Person shall do any Worldly Labour or Business on the Lords Day (Works of Charity and Necessity only excepted) and all of the Age of Fourteen Years or upwards offending in the Premises, shall forfeit 5 s. and no Person shall publicly Cry, or expose to Sale any Wares whatsoever on the Lords-Day, on pain to forfeit them.

XII. No Drover, Horse-Courser, Waggoner, Butcher, Higler, or their Servants, shall Travel on the Lords-Day, on pain to forfeit 20 s. No Person shall Use or Travel on the Lords-Day with any Boat, Wherry, &c. except on extraordinary occasion, to be allowed by a Justice of Peace, or Head Officer of the Place, &c. on pain to forfeit 5 s. if Offenders in any of the Premises be Convicted before a Justice of Peace of the County, or Chief Officer or Justice of Peace of the City, Borough, &c. where, &c. upon his or their view, or by Confession, or Oath of one Witness, the said Justice, &c. shall give Warrant to the Constables or Churchwardens to seize the Goods Cried or put to Sale, and Sell them, and Levy the other Penalties by Distress and Sale of Goods, and in case of inability, &c. to set the Offenders in the Stocks for two hours: the Penalties aforesaid to be employed to the use of the Poor of the Parish where the Offences are committed; saving, that any such Justice or Head-Officer may out of them reward Informers, so as such Reward exceed not a third part of the Penalties.

XIII. This Act shall not prohibit Dressing of Meat in Families or Inns, Cooks Shops, &c. nor Crying of Milk before Nine of the Clock in the Morning, or after Four in the Afternoon.

XIV. Prosecutions for any Offence mentioned in this Act must be within Ten days after the Offence committed.

XV. If any Person Travelling on the Lords-Day be Robbed, the Hundred shall not be charged. But the Inhabitants, after notice of such Robbery, or Hue and Cry for the same, shall make Pursuit according to the Statute of the 27th of the Queen, on pain to Forfeit to the King as much Money as might have been recovered if this Law had not been.

XVI. No Persons on the Lords Day shall serve any Process, &c. except in Cases of Treason, Felony, and Breach of the Peace: but such Services shall be void, and the Persons serving

Homage and Fealty, Honours.

the same shall answer Damages, as if they had done the same without Warrant.

One hundred twenty five Hackney Coaches Licensed to Drive on the Lords Day, per Stat. 5 & 6 W. & W. cap. 22.

Homage and Fealty.

I. Stat. 17 E. 2. When a Free-man doth Homage to his Lord of whom he holdeth in chief, he shall hold his Hands between the Hands of his Lord, and say thus:

I become your Man from this time forth, for Life, for Member, and for worldly Honour, and shall owe you my Faith for the Lands that I hold of you; saving the Faith that I owe unto our Lord the King, and to mine other Lords.

II. When a Free-man doth Fealty to his Lord, he shall hold his Right Hand upon the Book, and shall say thus:

Hear you, my Lord R. that I P. will be to you both faithful and true, and shall owe my Fidelity unto you for the Land that I hold of you, and lawfully shall do such Customs and Services as my Duty is to you at all terms assigned. So help me God, and all his Saints.

III. When a Villain doth do Fealty unto his Lord, he shall hold his Right Hand over the Book, and say thus:

Hear you, my Lord A. that I B. from this day forth unto you shall be true and faithful, and shall owe you Fealty for the Land I hold of you in Villainage, and shall be justified by you in Body and Goods. So help me God, and all his Saints.

Honours.

I. Stat. 31 H. 8. 5. An Act for the making of the Manor of Hampton Court (with divers Manors and Lands thereunto annexed) an Honour, and the King shall have a free Chase and Warren there: also the Offenders there shall be punishable as in any other Forest or Chase; all which are to be in the Survey of the Court of Augmentations. And Shipton is annexed unto the Dutchy of Cornwall, in lieu of Bisleet and Weybridge taken away by this Act from the said Dutchy.

II. Stat. 33 H. 8. 37. An Act for the making of the Manor of Amptbil in Com. Bed. an Honour, and for annexing divers Lands in Com. Bed. and Buck. to the said Honour, with other Articles concerning that Manor, which said Lands are appointed to the Survey of the Court of Augmentations.

III. Stat. 33 H. 8. 38. The like for the Manor of Grafton in Com. North. See the Statutes at large.

Hops.

Hops.

* I. Stat. 1 Jac. 1. 18. None shall bring, or cause to be brought into this Realm from Foreign Parts, any Hops deceitfully mixt with any Soil whatsoever, in pain to forfeit the Hops so brought in; neither shall any buy such Hops (so brought in, or growing within the Realm) and employ them in Brewing, in pain to forfeit the value thereof: which said Forfeitures shall be divided betwixt the King and the Prosecutor.

Horners.

* I. Stat. 4 E. 4. 8. No Stranger shall buy any *English Horns* unwrought, gathered or growing in *London*, or within twenty four Miles thereof. The Wardens of Horners in *London* may search all Ware belonging to their Mytery in *London*, and within twenty four Miles thereof, and in *Sturbridge* and *Ely* Fairs. See the Statute at large. But note, that this Statute is Repealed by 1 Jac. 1. 25. Howbeit it is recited, and in part Revived by 7 Jac. 1. 14. as followeth.

II. Stat. 7 Jac. 1. 14. The Act of 4 E. 4. 8. and every part thereof (except power of Search in the Fairs of *Sturbridge* and *Ely*, and the limitation of such Prises for Horns as they were to be had for, at the making of the said Act) shall be Revived, and be of like force as if it had not been Repealed by 1 Jac. 1. 25.

III. None shall sell *English Horns* unwrought to any Stranger, nor send any such Horns beyond Sea, in pain to forfeit the double value thereof, to be divided betwixt the King and the Prosecutor.

Horses, Mares, and Cattle.

* I. Stat. 20 R. 2. 5. None shall take the Horse or Beast of any to serve the King, without the Owners consent, or sufficient Warrant, in pain to be Imprisoned until he recompense the Party grieved.

* II. Stat. 11 H. 7. 13. None shall convey any Horse out of the Realm, without the Kings Licence, in pain to forfeit the same, nor any Mare above the value of 6 s. 8 d. in pain to forfeit her, the Owner thereof receiving 6 s. 8 d. for her at the time of the Seisure, otherwise that also is to be forfeited. And here the Mare immediately after Seisure is to be appraised and sold by the chief Officer there, and her Price (above the 6 s. 8 d.) is to be divided betwixt the King and the Seiser, and the Kings part thereof to be delivered to the Customer of the Port there.

III. None shall convey any Mare out of this Land under three years old, or worth above 6 s. 8 d. and for those he may convey, he shall pay the usual Custom.

IV. For every Mare (above that value) to be Transported beyond Sea by the Kings Licence, the Custom shall be 6 s. 8 d. which shall be paid before she be Shipped, in pain to Forfeit her.

V. If any at the Port will for any such Mare of under-value give 7 s. and pay for her, he shall have her, if she were not before taken by the Kings Officer, or the Kings Licence for Transporting her were not before obtained.

VI. This Act shall not prohibit any to Transport beyond Sea (without the Kings Licence) any Horse for his own use, he making Oath before the Customer or Searcher of the Port that he intends not to sell him.

VII. Stat. 27 H. 8. 6. Every one having Inheritance or Freehold in a Park kept for Deer, and a Mile about, or his Farmer, shall keep two Mares apt and able to bear Foals, each of them being thirteen Hands high from the lowest part of the Hoof to the highest part of the Shoulder, and each Hand containing four Inches, in pain of 40 s. for every Month they want them: And if the Park be four Miles about, they shall keep four such Mares, upon the like pain.

VIII. If any of the Mares die, they have three Months given them to provide another, without danger of incurring the said Penalty.

IX. They shall not suffer their Mares to be Leapt by any Stoned Horse under fourteen Hands high, in pain of 40 s.

X. The said Forfeitures are to be divided betwixt the King and the Prosecutor.

XI. This Act shall not extend to *Westmorland*, *Cumberland*, and *Northumberland*, nor the Bishoprick of *Durham*, nor to Parks wherein the Inhabitants of the Town next adjoining have Common.

XII. Spiritual Persons may sell the Increase and Breed of their Mares, notwithstanding this Act.

* XIII. Stat. 32 H. 8. 13. None shall put to Feed upon Forests or Common-Ground, any Stoned Horse, being above two years old, and not 15 Hands high from the lower part of the Hoof to the upper part of the Withers (every Hand containing 4 Inches Standard-Measure) in pain to Forfeit the same Horse.

XIV. It shall be lawful for any Man to seize to his own use any Stoned Horse of lesser Stature, put to Feed upon any such Common-Ground, as aforesaid, so that first, by the assistance of the Keeper of the Ground, or Constable, Bailiff, Headborough, or other such Officer of the Parish adjoining, such Horse be brought to the next Pound, and there by the Officer, and in the presence of three other sufficient Men, be measured and found lower than the Statute.

XV. Those that refuse to measure, or to be present at measuring

sureing of such Horse, shall Forfeit 40 s. apiece for every such Default, to be divided betwixt the King and the Prosecutor.

XVI. An Horse that makes an Escape into such Common, shall not be questioned, so that he stay not above four Days after notice thereof given at the Owners House, or in his Parish-Church.

XVII. Forests and Common-Grounds shall be driven yearly at *Michaelmas*, or within 15 days after, by the Keepers or Officers aforesaid, in pain of 40 s. who have also power to drive them at any other time of the year at their pleasure; such power likewise have the Owners of such Grounds: And here, upon the Drift, if any unlikely Tits shall be found, they shall be killed.

XVIII. Justices of Peace in Sessions have power to hear and determine those Offences, but Stewards of Leets only to take Presentments of them; which they shall certify in at the next general Sessions, or to the *Custos Rotulorum*, in pain of 40 s.

XIX. None shall put upon Common Grounds or Common-Fields, any scabbed or infected Horse, in pain to Forfeit 10 s. to the Lord of the Leet.

XX. This Statute shall not restrain keeping of Horses under the Statute upon Commons, where Mares are not usually kept.

XXI. Stat. 1 E. 6. 5. None shall Convey, Sell, or Deliver any Horse into *Scotland*, or any other Foreign Country, (without the Kings Licence, or for his Service in the Wars) in pain to Forfeit such Horse, and 40 l. to be divided betwixt the King and the Prosecutor.

XXII. Wardens of the Marches, and Justices of Peace in Sessions, have power to hear and determine these Offences: And it shall be lawful for any of the Kings Subjects to Arrest or Imprison any *Scotchman* or other that shall convey any Horse contrary to this Act.

XXIII. He that hath the Kings Licence to convey Horses into *Scotland*, shall (before he so convey them) shew his Licence to one of the Wardens of the Marches (to the end that the number of them may be Kalendred) in pain to Forfeit his Horses or the double value of them, to be divided betwixt the King and the Prosecutor.

XXIV. This Act shall not restrain the Warden of the Cinque-Ports to give six Horses or Geldings, and no more, to any Person beyond Sea, being within the Kings Amity: neither shall it Impeach the Master of the Kings Horses in any Commodity that concerns his Office; nor any other for conveying beyond Sea Mares not exceeding the value of 10 s.

XXV. Stat. 8 Eliz. 8. The Statute of 32 H. 8. 13. shall not restrain the keeping of Stoned Horses of a lower Stature in the Fen-Groinds of the Isle of *Ely*, and of the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk* or *Suffolk*,

so that the Horses there kept be not under thirteen Hands high.

XXVI. Stat. 21 Jac. 1. 28. The Statute of 32 H. 8. 13. shall not extend to the County of Cornwall.

Hospitals and Hospitallers.

I. Stat. 2 H. 5. Stat. 1. c. 1. The Ordinary shall have power to enquire of, and reform the Foundation, Estate and Government of Hospitals: viz. Those of the Kings Patronage or Foundation, by Commission, and shall return the Inquisitions thereof into the Chancery; but for those of others he shall do it *ex Officio*.

II. Stat. 2 H. 6. 2. That the Hospital of S. Leonards in York may gather their Thraves of Corn as formerly, and upon denial have an Action of Debt for the same. See the Statute.

III. Stat. 13 Eliz. 17. That the Earl of Leicester may Found an Hospital in Warwick or Kenelworth, for relief of Poor Impotent People; which Hospital shall have capacity to purchase Lands in any County of England, not exceeding 200 l. per ann. and not holden of the Queen by Knight-Service in Capite, or by Knight-Service not in Chief.

IV. Stat. 14 Eliz. (not Printed) for the Assurance of all Grants made and to be made for the Poor in Hospitals, &c.

V. Stat. 18 Eliz. Two Acts were made (but not Printed) the one for the Hospital of St. Cross near Winchester, and the other for one at Leicester.

VI. Stat. 27 Eliz. Also two Acts (not Printed) the one for the Hospital of Christ at Sherborn in the Bishoprick, and the other for that of Eastbridge in Canterbury.

VII. Stat. 39 Eliz. 5. It shall be lawful for any Person within twenty years next ensuing (by Deed Enrolled in Chancery) to Erect and Found an Hospital, or House of Correction, to have the same continue for ever, and for him, his Heirs and Assigns, to place such Heads and Members, and such number of Poor as they please; which said Hospital or House so Founded shall be Incorporated, and have perpetual Succession for ever; which Corporation shall have power to purchase Goods and Chattels, also Lands not exceeding the value of 200 l. per annum, not held by Knight-Service, or in chief of the Queen; and all this without Licence, or the Writ of *Ad quod damnum*, the Statute of Mortmain, or of any other to the contrary.

VIII. They shall also have power to Sue and be Sued in all Courts, and to have such a Common Seal or Seals as the Founder, his Heirs or Assigns shall appoint, by which they may Seal all Instruments which concern the said Corporation.

IX. They shall also be Visited and Ordered by such Person or Persons as the said Founders, their Heirs or Assigns shall nominate,

nominate, according to the Statutes of the Foundation, being not repugnant to the Laws and Statutes of this Realm: Howbeit the Founder, his Heirs and Assigns, upon the Death or Removal of any Head or Member, shall have power to place another in their stead.

X. Provided, that all Leases and Estates made by any such Corporation for above one and twenty years, and that in Possession, and whereupon the accustomed yearly Rent for the greater part of twenty years before shall not be reserved, and yearly payable, shall be void.

XI. The Right of all Persons, save of the Founders, their Heirs and Successors, is saved.

XII. This Act shall not enable Infants, Feme Coverts without their Husbands, or Persons not of *sane* Memory, to make such Corporations, or to endow the same.

XIII. No such Corporation shall be made unless the same be (upon the Foundation thereof) Endowed with Lands of the clear yearly value of 10 *l. per annum*.

XIV. Provided, that the Corporations aforesaid shall not, by force of this Act, do or suffer to be done any thing in prejudice thereof; but such Construction shall be made thereof as shall be most beneficial for the Maintenance of the Poor, and for avoiding of all Devices which may be invented or put in use contrary to the true meaning thereof.

XV. Stat. 39 Eliz. 6. Commissions may be awarded to certain Persons to enquire of Lands or Goods given to Hospitals, or other Charitable Uses, mis-employed, and to reform them. *But this Act was afterwards Repealed by 43 Eliz. 4. saving for the Execution of Orders and Decrees before made by Commissioners according to the Statute.*

XVI. Stat. 43 Eliz. 4. It shall be lawful for the Lord Chancellor, or Keeper for the time being, and for the Chancellor of the Duchy of Lancaster (within that Precinct) to award Commissions into any part of the Realm, respectively to the Bishop there and his Chancellor (if any at that time) and to other Persons of good Behaviour, authorizing four or more of them to enquire, as well by the Oaths of twelve or more lawful Men, as otherwise, of all Grants, Gifts, Augmentations, Limitations and Appointments, and of all Abuses and Mis-employments of all Lands, Tenements and Hereditaments, and of all Goods and Chattels given, limited or appointed to charitable Uses.

XVII. The Commissioners having called the Parties interested, and made enquiry by the Oaths of such twelve Men, or more (unto whom lawful Challenge may be made by the Parties so interested) and set down such Orders and Decrees therein, that the things so given to Charitable Uses may be faithfully employed, the Orders and Decrees so made (being

not repugnant to the Statutes of the Founders or Donors) shall stand firm, and be executed accordingly, until they shall be altered by the Chancellor, Keeper, or Chancellor of the said Dutchy respectively, upon complaint made to them thereof by the Party grieved.

XVIII. This Act shall not extend to any thing given to any Hall or College in the Universities, or to the Colleges of *Westminster, Eaton or Winchester*, or to any Cathedral Church, or to any City or Town Corporate, or to any Lands or Tenements given to the Uses aforesaid in any such City or Town, where there is a special Governor or Governors to govern things disposed to such Uses, or to any College, Hospital or Free-School, having special Visitors or Governors appointed by the Founders.

XIX. This Act shall not be prejudicial to the Ordinary or his Jurisdiction.

XX. None having the thing in question, or pretending Title thereunto, shall be either Commissioner or Juror.

XXI. This Act shall not Impeach any Purchaser (*bona fide*) of things given to Charitable Uses, not having notice thereof: Howbeit (in that case) the Party or Parties who have broken their Trust in selling the same, their Heirs, Executors and Administrators, shall make satisfaction by the Decree of the said Commissioners, if they have left Assets, or so far as the Assets so left shall extend.

XXII. The Commissioners shall not meddle with any Lands conveyed or come to the Hands of *H. 8. Ed. 6. Queen Mary or Queen Eliz.* unless the Grant to Charitable Uses were made since the beginning of *Queen Elizabeth's* Reign.

XXIII. The Orders, Judgments and Decrees shall be certified into the Chancery or Dutchy Court (as the case shall require) under the Commissioners Seals, within such times as shall be limited in their Commissions: And the said Lord Chancellor, Keeper, or Chancellor of the Dutchy (respectively) shall take such Order for the due Execution of the said Decrees as to them shall seem fit.

XXIV. If the Party against whom the Decree is past, conceive himself injured thereby, upon complaint thereof to the said Chancellor, Keeper, or Chancellor of the Dutchy (respectively) he shall have redress, if there be cause; but if not, they shall award good Costs against him for complaining without cause.

Hounslow-Heath.

I. Stat. 37 *H. 8. 2. Hounslow-Heath in Com. Midd.* which contains 4293 Acres and one Rood of Ground extending into several Parishes, so much thereof as is the Kings Inheritance, and is meet for Tillage, Pasture, Meadow, or other several Ground,

Ground, shall be in the nature and condition of Copy-hold Land; or the same may be Let by the Steward of the Manor at Will, for twenty one years, which the Lessee shall and may improve.

Hull.

I. Stat. 33 H. 8. 33. The Statute of 27 H. 8. 3. (which was made for the taking away of certain Customs that the Mayor and Commonalty of *Hull* took for Fish) is Repealed: But by this they may take of every Person priviledged, for a Last of Herring 20 *d.* for an Hundred of Salt-Fish 4 *d.* and for a Last of Sprats 8 *d.* and of one not priviledged, for a Last of Herring 2 *s.* 4 *d.* for an Hundred of Salt-Fish 4 *d.* and for a Last of Sprats 8 *d.* as they did before.

Hundreds.

I. Artic. super Chart. 14. 28 E. 1. Bailiwicks and Hundreds shall not be Let to Farm at over great Sums, whereby the People may be over-charged by making Contributions to such Farms.

Hunters and Hunting.

I. Stat. 13 R. 2. 13. No Lay-man who hath not Lands of 40 *s. per ann.* nor Clerk who hath not 10 *l. Revenue per ann.* shall have or keep any Grey-Hound, Hound, Dog, Ferret, Net or Engine, to destroy Deer, Hares, Conies, or any other Gentlemans Game, in pain of one whole Years Imprisonment, which Justices of Peace shall have power to inflict.

II. Stat. 19 H. 7. 11. None shall keep any Deer-hays or Buck-stalls, save in his own Forest or Park, in pain to forfeit for every Month they are so kept, 40 *s.* neither shall any Stalk with any Bush or Beast to any Deer, except in his own Forest or Park, in pain of 10 *l.*

III. None shall take an old Heron without his own Ground, in pain of 6 *s.* 8 *d.* nor a young Heron, in pain of 18 *s.* for which Forfeitures every Man that will may sue by Action of Debt, or otherwise.

IV. Any two Justices of Peace in Sessions may examine the Offenders aforesaid, and commit them to Prison till they have satisfied the said Forfeitures, whereof the said Justices are to have the tenth part.

V. Stat. 14. 15 H. 8. 10. None shall trace, destroy or kill any Hare in the Snow: and Justices of Peace in Sessions, and Stewards in Leets, have power to enquire of such Offenders, and shall Assess upon every such Offender 6 *s.* 8 *d.* which Penalty Assessed in Sessions shall go to the King; but in a Leet, to the Lord thereof.

* VI. Stat. 3 Jac. 1. 13. None shall (without the Owners Licence) kill or chase any Deer or Conies in any Parks or inclosed

closed Grounds, in pain to suffer three Months Imprisonment, to pay treble Damages to the Party grieved, to be Assessed by the Justices before whom he shall be Convicted after the said three Months expired, and to be bound with two good Sureties to the good Behaviour for seven years, or to remain still in Prison till he find such Sureties: but here the Party grieved (being satisfied) hath liberty to release the Behaviour.

 VII. Justices of Oyer and Terminer, Assize and Peace in Sessions, have power to hear and determine these Offences; and Justices of Peace in Sessions (upon Confession and Satisfaction to the Party grieved) have power to release the Behaviour.

VIII. If any Person not having 40*l.* *per annum* in Lands, or 200*l.* in Goods, or some inclosed Ground used for Deer or Conies worth 40*s.* *per annum* at least, shall use any Gun, Bow or Cross-bow, to kill any Deer or Conies, or shall keep any Buck-stall, Ferret, Dog, Net, or other Engine, it shall be lawful for any Person (having Lands worth 100*l.* *per ann.*) to take such Gun, &c. from any such Person, and to convert the same to his own use.

IX. This Act shall not extend to any Park or inclosed Ground hereafter to be made or used for Deer or Conies, without the Kings Licence.

X. Stat. 7 Jac. 1. 13. It shall be in the Election of the Party grieved, whether he will take for Satisfaction 10*l.* in Money, or treble Damages, as by the Statute of 3 Jac. 1. 13. is limited.

* XI. Stat. 13 Car. 2. cap. 10. They that Course, Kill, Hurt or Take away Red or Fallow Deer in any Ground where Deer are kept, without consent of the Owner, or Person chiefly intrusted therewith, or are aiding therein, if Convicted by Confession or Oath of one Witness before one Justice of Peace, being prosecuted within six Months after the Offence done, shall forfeit 20*l.* to be Levied by Distress by Warrant under the said Justices Hand; one moiety thereof to the Informer, the other to the Owner of the Deer: and for want of such Distress shall be committed to the House of Correction for six Months, or the Common Goal for a year, and not be Discharged till Security given for their good Behaviour one year after their Enlargement.

XII. None punished by virtue of this Act, shall incur the Penalty of any other Law for the same Offence.

XIII. Stat. 22 & 23 Car. 2. cap. 25. Lords of Manors or other Royalties, not under the Degree of an Esquire, may by Writing under their Hands and Seals. Authorize one or more Game-keepers, who may seise all Guns, Bows, Greyhounds, Setting-dogs, Lurchers, or other Dogs to kill Hares or Conies, Ferrets,

Ferrets, Tramels, Lowbels, Hayes, or other Nets, Hare-Pipes, Snares, or other Engines for taking Conies, Hares, Feasants, Partridges, or other Game, used within such Manors by Persons prohibited by this Act to use the same. Such Game-keepers and others, by Warrant from a Justice of Peace, may search the Houses of such Persons so prohibited as shall be suspected to keep such Guns, Bows, &c. and seise them for the use of the Lord of the Manor, or otherwise destroy them.

XIV. Persons not having Lands, or some other Estate of Inheritance in their own or in their Wives Right, of 100 *l.* *per ann.* or for Life, or Lease for Ninety nine years of 150 *l.* *per ann.* other than the Son and Heir of an Esquire, or other Person of higher Degree, and Owners and Keepers of Forests, Parks, Chases, or Warrens, Stocked with Deer or Conies, in respect of the said Forests, &c. are declared to be Persons not allowed to keep any Guns, Bows, &c.

XV. If any Man shall enter wrongfully into Ground kept for Breeding Conies, though not inclosed, and chase, take or kill any against the Owners Will, and be thereof Convicted in manner following; they shall render treble Damages and Costs, and be Imprisoned three Months, and till they find Sureties for their good Abearing.

XVI. Persons that kill or take in the Night-time Conies upon the Borders of Warrens, or on other Grounds used for keeping Conies, except Owners, &c. shall make such Recompence, and within such time as shall be appointed by the Justice of Peace before whom they shall be Convicted, and pay to the Overseers for the Poor of the Parish where the Offence shall be committed, such Sum as the said Justice shall think fit, not exceeding 10 *s.* in default whereof they shall be committed to the House of Correction, for any time not exceeding a Month, and they that use Snares, Hare-Pipes, and other Engines, shall be liable to the same Penalties.

XVII. If any Persons shall take any Fish by any Device whatsoever in any several Water or River, or shall be assisting thereunto, without consent of the Owner of the said Water, and be thereof, or of any other Offence mentioned in this Act, Convict by Confession or Oath of one Witness within a Month after the Offence committed, before any Justice of Peace of the County or Place; every such Offender in stealing, taking, or killing Fish, shall give such Recompence, and within such time as the Justice shall appoint, not exceeding treble Damages; and pay down presently to the Overseers for the Poor of the Parish where the Offence shall be committed, such Sum as the Justice shall think meet, not exceeding 10 *s.* in default of payment, the same to be Levied by Distress and Sale of Goods by Warrant of such Justice: and for want of a Distress, the Offender to be Committed, not exceeding a Months time, unless

unless he enter into Bond with one or more Sureties to the Party injured, not exceeding Ten Pounds, never to offend in like manner.

XVIII. The Justice before whom such Offender shall be Convicted, may destroy all the Engines wherewith he shall be apprehended or taken.

XIX. Persons aggrieved by any Judgment by virtue of this Act, may appeal to the next Quarter Sessions, whose Order shall be final, if no Title to any Land, Royalty or Fishery be therein concerned.

XX. This Act shall not abridge any Royalty or Prerogative Royal of the King, nor any part of the Forest Laws of this Realm.



Husbandry.

I. Stat. 4 Jac. 1. 11. The Owners and Farmers of Lands in *Marden, Bodenham, Wellington, Sutton S. Michael, Sutton S. Nicholas, Murton upon Luge*, and *Pipe* in the County of *Hereford*, may inclose some part thereof; with divers other Provisions for the better Improvement of those Places. For which see the Statute at large.

II. Stat. 7 Jac. 1. 18. All Persons within *Devon and Cornwall* may fetch Sea-sand for the bettering of their Land.

III. Boatmen may fetch Sea-sand and cast it out of their Boats where it hath been used to be landed, and carry the same through usual ways. See the Statute.

IV. Stat. 15 Car. 2. cap. 7. *Vide Trade.*

Identitate Nominis.

I. Stat. 37 E. 3. 2. IF the Lands, Goods or Chattels of any Person (Outlawed for want of a good Declaration of his Sirname) shall happen to be seised by any of the Kings Officers, he may have a Writ of *Identitate Nominis* to discharge them, as hath been used in times past. And in such case, the Officer shall take Security without Fee of the Party, to answer to the King the value of the thing so seised, if he cannot discharge them: And if the Officer be Attainted of doing otherwise, he shall pay double Damages to the Party grieved, and be also grievously punished to the King.

II. Stat. 9 H. 6. 4. A Writ of *Identitate Nominis* shall be maintainable by Executors as well as by the Testator himself if he were living.

Jeofail.

I. Stat. 32 H. 8. cap. 30. After an Issue tryed, there shall be Judgment given, notwithstanding any Jeofail or Mis-pleading.

II. Stat.

II. Stat. 18 Eliz. 14. After Verdict given in any Court of Record, there shall be no stay of Judgment, or reversing thereof for want of Form in any Writ Original or Judicial, Count, Declaration, Plaint, Bill, Suit, or Demand, or for want of any Writ Original or Judicial, or by reason of any imperfect or insufficient Return of the Sheriff or other Officer, or for want of any Warrant of Attorney, or for any default in progress upon or after *Aid Prayer* or *Voucher*.

III. This Act shall not extend to any Writ, Declaration or Suit of Appeal of Felony or Murder, or to any Indictment or Presentment of Felony, Murder, Treason, or other Matter, or to any Process upon any of them, or to any Writ, Bill, Action, or Information upon any Penal Statute.

IV. Provided, That all Attorneys in any Suit in a Court of Record, shall deliver in the Warrant of Attorney in such Suit, to be Entred or Filed of Record, as by the Laws and Statutes of this Realm they ought to do, in pain to Forfeit 10*l.* to be divided betwixt the King and the Officers where the Warrant should have been so Filed, and to suffer Imprisonment by the discretion of the Justices of the Court where the default is made.

V. Stat. 21 Jac. 1. 13. After Verdict given in any Court of Record, the Judgment thereupon shall not be stayed or reversed for any variance in Form only between the Original Writ or Bill, and the Declaration, Plaint or Demand; or for lack of an Averment of the Parties Life or Lives, so as it be proved he or they be in Life; or for that the *Venire facias*, *Habeas Corpus*, or *Distingas*, was Awarded to a wrong Officer, upon any insufficient Suggestion: or that the *Vifne* was in some part mis-awarded, or Sued out of more or fewer Places than it ought to be, so as some one Place be right named; or for mis-naming any of the Jurors, either in the Surname or Addition, in any of the Writs or Returns thereof, so as *Constat de persona*; or for want of a Return of any of the said Writs, so as a Pannel be Returned and Annexed thereunto, or for that the Officers Name is not set to the Return, so as it appear by Proof that the Writ was Returned by him; or by reason that the Plaintiff in an *Ejectione firme*, or in any Personal Action, being under Age, did appear by Attorney, and the Verdict pass for him.

VI. This Act shall not extend to any Writ, Declaration, or Suit of Appeal of Felony or Murder, nor to any Indictment or Presentment of Felony, Murder, or Treason, nor to any Process upon any of them, nor to any Writ, Bill, Action or Information upon any Penal Statute.

VII. Stat. 16 & 17 Car. 2. cap. 8. After a Verdict, Judgment shall not be stayed nor reversed in the Kings Courts of Record at *Westminster*, Courts of Record in the Counties Palatine

Palatine of Lancaster, Chester or Durham, or of the great Sessions in any the twelve Shires of Wales; for want of Form, or for want of Pledges; for not producing any Deed, or Letters of Administration; for want of *Pro et Contra Armis*, or *Contra pacem*; or for mistaking the Christian Name or Surname of either Party, Sum of Money, Day, Month, or Year, being rightly named in any Record preceding, or in the same Record, whereto the Defendant might have Demurred; nor for want of *Hoc paratus est verificare*, or *Hoc paratus est verificare per Record*, or *Prout patet per Recordum*; or for that there is no right Venue, so the Cause were Tried by a Jury of the County or Place where the Action is laid. Nor shall any Judgment after Verdict, Confession by *Cognovit Actionem*, or *Relicta verificatione*, be Reversed for want of a *Misericord*, or a *Capiatur*, or because one is put for the other; nor for that *Ideo concessum est*, &c. is Entred for *Ideo consideratum est*; nor for that the increase of Costs after a Verdict in an Action, or upon a Non-Suit in *Replev*, are not Entred at the Request of the Party for whom the Judgment is given; nor Costs in any Judgment Entred by consent of the Plaintiff, and all defects of the like nature shall be amended.

VIII. This Act shall not extend to Appeals of Felony, or Murder, Indictments, Presentments, Suits upon Penal Statutes, other than concerning Customs and Subsidies of Tonnage and Poundage.

IX. This Act shall continue for three years, and to the end of the next Session of Parliament after. *Made perpetual 22 & 23 Car. 2. cap. 4.*

Ile of Wight.

I. Stat. 4 H. 7. 16. None shall take more Farms than one in the Ile of Wight, which one shall not exceed ten Marks in yearly value, in pain of 10*l*.

II. If any have several Farms above that value, he shall keep one or more of them at his Election, so as what he keeps exceeds not that value.

III. Such as have been at Charge with their Farms in Fines or Repairs, shall be indemnified.

Incontinency of Priests.

I. Stat. 1 H. 7. 4. The Ordinary shall punish Priests, Clerks, and Religious Men for Incontinency, by Imprisonment, according to the quantity and quality of their Trespas.

Incumbent.

Incumbent.

I. Stat. 13 R. 2. 1. The Statute *de Clero*, 25 E. 3. 3. touching the Examination of the Kings Title to a Benefice, when he Presenteth in anothers Right, is Confirmed. Which see in Adwolson.

II. When the King Presenteth to a Benefice full of an Incumbent, his Presentee shall not be received by the Ordinary, until the King hath recovered his Presentment by Law.

III. If the Kings Presentee be received, and the Incumbent put out without Process, the Incumbent shall begin his Suit within a year after the Induction of the said Presentee.

IV. Stat. 4 H. 4. 22. Where an Incumbent is put out without due Process, he shall be at large to Sue for his Remedy by the Statute of 13 R. 2. 1. at what time he pleaseth within or after the year.

Indicavit.

I. Stat. 34 E. 1. No Writ of *Indicavit* shall be granted before the Suit hanging in the Spiritual Court between the Parties, be Recorded, and that the Lord Chancellor be certified thereof by the sight of the Libel.

Indictments.

I. West. 2. cap. 13. 13 E. 1. Sheriffs, Bailiffs of Franchises, and others that take Inquests of Malefactors, shall do it by at least Twelve Lawful Men, who shall put their Seals to such Inquisitions, and the said Officers shall Imprison such Malefactors.

II. If they Imprison any without such Inquests, the Party grieved shall maintain an Action of false Imprisonment against them.

III. Stat. 1 E. 3. Stat. 2. cap. 17. Sheriffs, Bailiffs of Franchises, and other who take Indictments, shall do it by Roll Indented, whereof one part shall remain with the Indictors, and the other with him that takes them; so as one of the Inquest may have one part thereof to shew to the Justices when they come to make deliverance.

IV. Stat. 25 E. 3. Stat. 5. 14. After one is Indicted for Felony before the Justices of Oyer and Terminer, the Sheriff shall be commanded to Attach his Body by a *Capias*; and if the Sheriff return a *Non est inventus*, another *Capias* shall issue out (returnable in 3 Weeks) whereby the Sheriff shall have power to seise his Chattels, and to keep them until the said Return; and then also if the Sheriff return a *Non est inventus*, an *Exigent* shall be Awarded, and the Chattels shall be forfeit: but if he yield himself, or be taken by the Sheriff or other Officer, before the Return of the said *Capias*, his Goods and Chattels shall be saved.

V. Stat.

Infections, Informers.

V. Stat. 11 H. 4. 9. No Indictments shall be made but by Inquest of lawful Men Returned by Sheriffs, Bailiffs of Franchises, or other Officers who ought to do it, without having them nominated by other Persons to the said Officers : and all Indictments otherwise found, shall be void.

VI. Stat. 3 H. 7. 1. *pars inde.* Justices of Peace may take (by discretion) an Inquest, whereof every Man shall have Lands of the yearly value of 40 s. to enquire the concealments of a former Inquest, taken before them or others, of Matters inquirable or presentable before them, and whereof complaint shall be made by Bill.

VII. Stat. 37 H. 8. 8. *pars inde.* These words, *Vi & Armis*, viz. *Cum baculis, cultellis, arcibus & sagittis*, or the like, shall not of necessity be put into any Inquisition or Indictment, but they shall be adjudged good notwithstanding those words are therein omitted.

☞ Infections.

* I. Stat. 12 R. 2. 13. None shall cause to be cast any Garbage, Dung, Intraills, or any other Annoyance, into the Ditches, Rivers, Waters, or other Places within or near any City, Borough or Towns, or the Suburbs thereof, in pain to be called by Writ before the Chancellor ; and, if found guilty, to be punished at his discretion.

☞ Informers.

I. Stat. 18 Eliz. 5. An Informer shall exhibit his Suit in proper Person, and pursue it by himself, or by his Attorney in Court, and that by way of Information, or Original Action, and shall have no Deputy : and all this in pain of 10 l. and the Pillory.

II. A Note of the time of exhibiting the Information shall be truly taken, and from thenceforth it shall be accounted to be of Record ; before which time no Process shall issue out upon it.

III. The Clerk that makes out the Process shall Indorse the Informers Name, and also the Statute upon which the Information is grounded, in pain of 40 s.

IV. No Jury shall appear at *Westminster* for a Trial upon any Penal Law, when the Offence was committed above thirty Miles from *Westminster*, except the Attorney-General, for some reasonable cause, require the same.

V. No Informer shall compound with any Defendant before Answer, nor then but by consent of Court, in pain of 10 l. and the Pillory.

VI. Where the Informer delays or discontinues his Suit, or otherwise is Non-suit or Overthrown, the Court shall assign Costs to the Defendants, to be immediately Levied by Execution issuing out of the same Court.

VII. Justices of Oyer and Terminer, Assize, and Peace in their Sessions, have power to hear and determine these Offences.

VIII. This Act shall not restrain Actions brought for Maintenance, Champerty, Buying of Title, or Imbracery, nor any certain Person or Body Politick to whom any Forfeiture or Penalty is specially limited, nor certain Officers who have lawfully used to exhibit Informations.

IX. Stat. 29 Eliz. 5. *in fine*. If any shall be Sued upon any Penal Law, in the Kings Bench, Common Pleas, or Exchequer, where such Person is Bailable by Law, or may appear by Attorney, the Person so Sued shall at the day contained in the first Process appear by Attorney to defend the same, and shall not be urged to Personal Appearance, or to put in Bail to answer the same.

X. Stat. 31 Eliz. 10. The said Clause of 29 Eliz. 5. shall only extend to natural-born Subjects, or Free Denizens, and none others.

 Inrolments.

I. Stat. 6 R. 2. 4. Deeds that were Inrolled, and late torn or Imbezled by Rebels in the late Insurrection, being Exemplified, shall be of the same force as the Deeds themselves would have been if they had been extant.

II. Stat. 27 H. 8. 16. Bargains and Sales to an use of Inheritance of Free-hold must be by Deed Indented and Inrolled within six Months after the Date thereof, in some Court of Record at *Westminster*, or in the County where the Land lieth, before the *Custos Rotulorum*, two Justices of Peace, and the Clerk of the Peace, or two of them, whereof the Clerk to be one. And here the Fee to be paid for such Inrolment when the Land is not worth 40 s. *per annum*, is 2 s. and when it is more 10 s. to be equally divided betwixt the Justice or Justices then present, and the Clerk of the Peace, who ought to Inroll them in Parchment, and to deliver them unto the *Custos Rotulorum* within one year after.

III. This Act shall not extend to Lands, Tenements, or Hereditaments in Corporations, where an Officer or Officers there have lawfully used to Inroll Deeds or other Writings.

IV. Stat. 34, 35 H. 8. 22. All Recoveries, Deeds Inrolled, and Releases acknowledged or taken before any Officer or Officers of any Corporation, having Authority to receive the same, shall remain in force, notwithstanding the Statute of 32 H. 8. 28. *Which see in Leases.*

V. Stat. 5 Eliz. 26. All Inrolments of such Writings Indented as are mentioned in the Statute of 27 H. 8. 16. of Lands, &c. in the Counties of *Lancaster*, *Chester*, and the Bishoprick of *Durham*, being Inrolled within six Months after

the Date thereof (*viz.* those in *Lancashire* in the Chancery at *Lancaster*, or before the Justices of Assise there; those in *Cheshire* in the Exchequer at *Chester*, or before the Justices of Assise there; and those in the Bishoprick in the Chancery at *Durham*, or before the Justices of Assise there) shall be as good in Law, as if they were Inrolled in any of the Courts at *Westminster*.

Intrusion.

I. *Prerog. Reg. Cap. 13. 17 E. 2.* When the Kings Tenant in chief dies, and his Heir enters into the Land before he hath done Homage to, or received Seisin of the King, he shall thereby gain no Free-hold; and if he die seised during that time, his Wife shall not be Endowed thereof: as it fell out in the case of the Wife of *Mansel* the Marshal.

II. *Stat. 21 Jac. 1. 14.* When the King, or any claiming under his Title, shall be out of Possession, or not have received the Profits of Lands, &c. within the space of twenty years before any Information of Intrusion brought to recover the same; in this case the Defendant shall plead the General Issue, if he think fit, and shall not be pressed to Plead especially; and shall also retain the possession thereof until the Title be found for the King.

III. Where an Information of Intrusion may fitly be brought on the Kings behalf, no *Scire facias* shall Issue, whereupon the Subject shall be forced to a special Pleading, and be deprived of the Grace intended by this Act.

Ipswich.

I. *Stat. 13 Eliz. 24.* The Streets of *Ipswich* in the County of *Suffolk*, and of the Suburbs thereof, shall be Paved with good Paving-Stone, and for ever be repaired by the Owners, Landlords or Terre-Tenants, along from and against their Houses, Lands and Tenements adjoining to the Street, *viz.* so much of the said Street in length as his House, Lands, &c. so adjoining extend unto, and in breadth during all the length to the Chancel, or to such Place as the Chancel there shall be appointed by the Bailiffs to extend unto: in pain to forfeit for every yard square not sufficiently repaired, 8. *d.*

II. The Bailiffs of *Ipswich*, and the Port-men there, the Church-wardens, and four of every Parish, shall have Authority to Tax upon every House, Ground and Tenement there, (Free and Copy) reasonable Sums of Money to be yearly paid, as well towards the finding of a convenient Stipendary Minister within every Parish, as for the reparation of the Churches.

Ireland.

Ireland.

I. In the Book of *Magna Charta* is an Ordinance for *Ireland* concerning divers Matters, Intituled, *Ordinatio pro statu Terra Hibernia*.

II. Stat. 17 E. 1. cap. 1. The Kings Officers in *Ireland* shall purchase no Land there without the Kings Licence.

III. Cap. 2. Kings Officers in *Ireland* shall make no purveyance there, but by Writ out of Chancery there, or in *England*, and that in time of necessity only, and by the advice of the Council there.

IV. Cap. 3. All kind of Merchandizes may be Exported out of *Ireland*, except to the Kings Enemies; and if any Officer restrain them, he shall satisfie double Damages to the Party grieved, and be also punished by the King.

V. Cap. 4. The Fees for every Bill of Grace in *Ireland*, under the Seal of the Justices there, shall be 4 d. for the Bill, and 2 d. for the Writing thereof.

VI. Cap. 5. The Marshals Fee for a Prisoner, when he shall be delivered is 4 d.

VII. Cap. 6. No Pardon of the death of a Man, or other Felony, or for flying for the same, shall be granted by the Justices there, but only at the Kings Command, and under his Seals.

VIII. Cap. 7. No Officers there shall receive any Original Writ, which is not Sealed by the Seal of *Ireland*, or by the Exchequer Seal there, of things concerning that Court.

IX. Cap. 8. The Justices of *Ireland* shall not delay or Adjourn Assise of *Novel disseisin* there, save only in the County where he is, and while he shall remain there.

X. Stat. 34 E. 3. 17. All kind of Merchandize may be Exported and Imported out of and into *Ireland*, as well by Aliens as Denizens.

XI. Stat. 34 Ed. 3. 18. All Persons who have Lands and Possessions in *Ireland*, may freely Import and Export their Commodities thither, and from thence without Impeachment.

XII. Stat. 1 H. 6. 3. All *Irishmen* shall avoid the Kingdom, except Graduates, Beneficed Men, Lawyers having Inheritance in *England*, and of *English* Parents, Religious Persons, professed Merchants, Burgesses, and other Inhabitants of good fame, and Persons Married in *England*: and all they shall find Surety for the good Abearing.

XIII. No *Irishman* shall inhabit here in the Universities, or elsewhere, without a Testimonial under the Seal of the Lieutenant or Justices of *Ireland* (testifying that he is of the Kings Obeisance) to be delivered to the Chancellor here, in pain to be punished as a Rebel.

XIV. No *Irishman* shall be Head or Governor of any Hall or House.

XV. Stat. 2 H. 6. 8. *Irishmen* coming to live in *England* shall give Surety for their good Abearing: viz. in the Universities to the Chancellors; in Counties to the Justices of Peace; and in Corporations and other Liberties, to the Head Officers respectively.

XVI. Stat. 16, 17 Car. 1. 30. An Act for a speedy Contribution and Loan towards the Relief of the Kings distressed Subjects of the Kingdom of *Ireland*. See the Statute at large.

XVII. Stat. 16, 17 Car. 1. 33. An Act for the speedy and effectual reducing of the Rebels in *Ireland* to their due Obedience to the King and the Crown of *England*. And Cap. 34, 35, & 37. certain other Additional Acts were made for the same purpose, and for the sale of forfeited Lands there. All which see at large.

XVIII. Stat. 32 Car. 2. cap. 2. The Act made 18 Car. 2. Intituled, *An Act against Importing Cattle from Ireland, and other parts beyond the Seas, and Fish taken by Foreigners*, is revived, and power given not only to Constables and Officers, but to every Person whatsoever, in any Place whatsoever, to take and seise the Cattle and Goods Imported contrary to the said Act; and that such Seisor shall have the Benefit given by this Act.

XIX. And to prevent fraudulent Seisures, Sales and Compositions, the Seisors shall within six days after Conviction and Forfeiture, cause the said Cattle, Sheep and Swine to be killed, and the Hides and Tallow shall be to the Seisor, and the remainder of the said Cattle, Sheep and Swine shall be forthwith distributed amongst the Poor of the Parish, by the Churchwardens and Overseers, upon notice thereof to be given by such Seisor.

XX. If such Seisor, Churchwarden or Overseer, shall fail in the execution of his said Duty, they shall severally forfeit 40 s. for every one of the great Cattle, and 10 s. for every Sheep or Swine which should have been so killed and distributed, one moiety thereof to the Poor of the Parish, and the other to the Informer, to be Levied by Distress and Sale of the Offenders Goods, by Warrant of any Justice of Peace of the County or Place where the Offence is so committed, upon Confession of the Party, View of the Justices, or Oath of one or more credible Witnesses (other than the Informer) the overplus to the Owners, necessary Charges of Distraining deducted. And for want of Distress, the Offender to be committed to Goal for three Months without Bail or Mainprise.

XXI. *Proviso*, Not to hinder the Importation of Stock-fish, or live Eels.

XXII. That

XXII. That after the said second of *February*, no Mutton or Lamb shall be Imported; and that all that shall be Imported shall be subject to the like Seizures, and the Importers and Sellers to the like Penalties appointed by any former Act against the Importer or Seller of any Beef, Pork or Bacon.

XXIII. That after the said second of *February*, no Butter or Cheese shall be Imported from *Ireland*; and if Imported or exposed to sale, shall be liable to the like Seizures, and the Importers and Sellers to the like Penalties as are appointed in any former Law against the Importer or Importation of Beef, Pork or Bacon.

XXIV. If any great Cattle, Sheep or Swine, shall be once or oftner seized, and afterwards by permission, connivance, negligence, or otherwise, removed and found alive in any other Parish or Place, they shall be liable to like Seizure, and the Seisor and Poor of the Parish or Place to the like Benefit, and the Cattle, Sheep and Swine be forfeited; and the proof incumbent upon the Owner, as if such Cattle had never been seized before.

XXV. If any *English* or other Cattle, driven or intermixed with *Irish* Cattle, shall be seized together with them, such Cattle shall be deemed *Irish*, and shall be subject to like forfeiture, and be ordered and disposed in all respects as if they were *Irish*.

XXVI. *Proviso*, That nothing therein shall extend to the Forfeiture or Seizure of any Cattle that are or shall be in *England* before the said second of *February*. 18 *Car. 2. cap. 2. & 20. Car. 2. cap. 7. Suspended*, per Stat. 5. & 6. *W. & M. as to Importation of Bacon*, during Stat. 4 & 5 *W. & M. Sess. 4. cap. 5.*

 Iron.

* I Stat. 28 *Ed. 3. 5.* Iron made in *England*, or brought into *England* and sold, shall not be Exported, in pain to forfeit the value thereof to the King. *English Iron may be exported*, per Stat. 5 & 6 *W. & M. cap. 17.*

II. Justices assigned have power to enquire of Labourers: and other Justices to be assigned by the King shall also have power to inquire of such as sell Iron at too dear a price, and to punish them according to the quantity of the Trespas.

 Judgments.

I. Stat. 14 *E. 3. Stat. 1. 5.* A Prelate, two Earls, and two Barons shall have power by the Kings Commission to hear (by Petition) Complaints for delay of Entering Judgments, and to call before them the Justices, and Records whereof such Complaint shall be made, and calling to them the Chancellor, Treasurer, the Justices of the one Bench or the other, and others of

the Kings Council (as many as they shall think fit) shall give Judgment thereof ; and then the Records shall be remanded together with the Judgment, which shall be immediately Entred accordingly.

II. In case the matter be too difficult, it shall be referred to the next Parliament to be determined.

III. Judges and other Officers in Courts of Justice may be Increased or Diminished, as need shall require, and when they shall enter into their Offices, they shall make Oath duly to serve the King and his People.

IV. Stat. 4 H. 4. 23. Judgments given shall continue, and the Parties for whom they are so given, and their Heirs, shall be in Peace until they shall be Attaint of Error, if any be.

Jurisdiction.

I. Artic. Cleri. Cap. 6. 9 Ed. 2. Albeit a case be debated and have Judgment in the Spiritual Court, yet the Kings Court may afterwards discuss the same Matter, as the Party shall think expedient for himself.

II. Stat. Pro Clero, 25 E. 3. Stat. 3. cap. 8. Cognisance of avoidance of Benefices belongs to the Ecclesiastical Judge, and not to the Temporal.

Juris Utrum.

I. West. 2. Cap. 24. 13 E. 1. A Writ of *Juris Utrum* shall be granted to try whether free Alms belong to one Church or another, in case where they are transferred from one Church to another.

Jurors.

I. Marlbr. Cap. 14. 52 H. 3. Such as have Charters of Exemption not to be Impanelled upon Juries, shall (notwithstanding their Privilege) be Sworn upon great Assises, Perambulations, in Deeds and Writings of Covenants (where they be named for Witnesses) and in Attaints, and when their Oaths are so requisite that without them Justice cannot be Administred.

II. West. 2. Cap. 38. 13 Ed. 1. No more Jurors shall be Summoned in one Assise than Twenty four. Also old Men above the Age of Seventy, or sick or diseased at the time of the Summons, or not dwelling in the County, shall not be put in Juries of Petit Assises ; neither shall any be put in Assises or Juries that have not Land worth 20 s. *per annum* ; and if the Assises or Juries be taken out of the County, their Revenue shall be 40 s. *per annum* at least, except such as be Witnesses to Deeds or other Writings, and be able to Travel.

III. This

III. This Statute shall not extend to great Assises, where many times Knights are to be Impanelled: for they (by reason of their scarcity) may Serve, albeit they dwell out of the County, so they have Land in the County for which they Serve.

IV. No Sheriff, Under-Sheriff or Bailiffs shall offend against this Law, in pain to answer Damages to the Party, and to be Amerced to the King.

V. Justices of Assise have power to hear and determine these Offences.

VI. Stat. 21 Ed. 1. Stat. 1. None shall be Impanelled to Serve out of their proper Counties, unless they have Lands worth 5 l. per annum at least; nor in the County, unless they have Lands worth 40 s. per annum.

VII. This Statute shall not extend to Juries taken before Justices Errant, nor to Corporations; but that they may do as in times past.

* VIII. Artic. super Chart. Cap. 9. 28 E. 1. None shall be Impanelled but as is ordained by Statute, and they shall be next Neighbours, most sufficient, and least suspicious; in pain that the Officer who doth otherwise shall answer double Damages to the Party grieved, and be grievously Amerced to the King.

IX. Stat. 5 E. 3. 10. If a Juror take a Bribe of either Party, and be thereof Attainted, he shall Serve no more of any Jury, be Imprisoned, and Ransomed at the Kings Will, and the Justices before whom he Serves, shall have power to hear and determine this Offence according to this Statute.

X. Stat. 25 E. 3. Stat. 5. cap. 3. No Indictor shall be put upon the Inquests, for the deliverance of the Indictor of Felony or Trespass, if he be challenged by the Indictor for that cause.

XI. Stat. 34 E. 3. 4. Sheriffs and others shall array their Pannels of the next People, not suspected nor procured, in pain to be punished by the Justices that take such Inquests both to the King and the Party grieved, according to the quantity of the Trespass and Damage.

XII. Stat. 34 E. 3. 8. If any of the Jurors be accused by either of the Parties for taking a Bribe to give his Verdict, the Justices may presently try it by a Jury then also to be taken.

XIII. If he be prosecuted by any other than one of the Parties, he shall have the Fine; but if by one of the Parties, he shall recover Damages by the Assessment of the Inquest so taken. The Suit may also be prosecuted before other Justices in form aforesaid.

XIV. Stat. 2 H. 5. Stat. 2. cap. 3. None shall be admitted to pass in an Inquest upon Trial of the death of a Man, or betwixt Party and Party in any Plea real or personal, where-

of the Debt or Damage declared amounts to forty Marks, unless he have Lands or Tenements of the yearly value of 40 s. besides Reprises, Challenge thereof being made by the Party.

XV. Stat. 8 E. 4. 3. Every Juror Impanelled and Returned within *Middlesex* in any of the Courts at *Westminster*, at every fourth day of the Return thereof shall be called, who then appearing, his Appearance shall be Recorded, and he shall not be Amerced nor lose Issues that day in that Suit.

XVI. No Default, Essoign, or other delay of either Party (Plaintiff or Defendant) in any Personal Action (by the Law heretofore used) shall by this Ordinance be prejudiced or taken away in any manner; but shall be adjudged and allowed in as ample manner as they were before the making of this Act.

XVII. Stat. 1 R. 3. 4. No Bailiff or other Officer shall Return or Impanel any Person upon any Inquiry at the Sheriffs Turn, but such as are of good Name and Fame, having Lands and Tenements in the same County, viz. Free-hold of 20 s. and Copy-hold of 26 s. 8 d. *per annum*; in pain that the Bailiff or other Officer shall forfeit for every Person so Returned or Impanelled not of the sufficiency aforesaid, 40 s. for every time, and the Sheriff 40 s. more; which said Forfeitures may be recovered by Action of Debt, and shall be divided betwixt the King and the Prosecutor.

XVIII. Stat. 4 H. 8. 3. For Issues lost by Jurors in *London*, given to the Mayor and Sheriffs there by the Statute of 11 H. 7. 21. (*which see in Attaint*) the said Mayor and Sheriffs and their Successors may Distrain respectively, viz. The Mayor for his, and the Sheriffs for theirs.

XIX. The Sheriffs of *London* have power to Return Panels of Jurors in Suits depending in any of the Courts at *Westminster*, and Triable in *London*, being Citizens, and having Goods of the value of a hundred Marks, who shall Serve and be Sworn in like manner as if they had Lands and Tenements of 20 s. *per annum*.

* XX. The Sheriffs of *London* shall Return upon the first Distress upon every Juror 20 d. and upon the second Distress 40 d. and upon every other Distress after that, the double, until a full Jury appear and be Sworn, in pain of 10 l. to be divided betwixt the King and the Prosecutor.

XXI. Stat. 5 H. 8. 3. The Statute of 4 H. 8. 3. (as to the Issues to be set upon Jurors) shall be understood only of Writs of Distress before Justices, or Justice of *Nisi prius*, in Suits depending in the Courts at *Westminster*, and Triable at *St. Martins le Grand* in the City of *London*, and not of other Writs or Processes issuing out of the said Courts.

XXII. Stat.

XXII. Stat. 23 H. 8. 13. Trials of Felons in Corporate Towns may be by Free-men of the same Corporation worth 40 l. in Goods, albeit they have no Free-hold.

XXIII. This Act shall not extend to any Knight or Esquire dwelling or resorting in or to any such Town.

XXIV. Stat. 35 H. 8. 6. Where such Persons as should pass upon the Trial of any Issue in any of the Courts at Westminster ought to have Free-hold worth 40 s. per annum, the Writs shall be in this Form, *Rex, &c. Precipimus, &c. quod Venire facias Coram, &c. 12 liberos & legales homines, &c. quorum quilibet habeat 40 solid. terr. tenem. vel redd. per annum ad minus, per quos rei veritas, &c.* But when that is not requisite, the Clause, *Quorum quilibet habeat 40 solid. Terr. tenem. vel redd. per annum ad minus,* shall be omitted.

XXV. Upon every *Venire facias* that hath the said Clause, *Quorum quilibet, &c.* the Sheriff or other Officer shall not Return any having less than 40 s. per annum Free-hold out of ancient Demesne, and in the same County where the Issue is to be tried, in pain to Forfeit for every one otherwise Returned, 20 s. They shall also return six Hundredors at least, if there be so many in the Hundred where the Venue lieth, in pain to Forfeit for every Hundredor not so Returned, 20 s. And in every such Writ wherein that Clause is omitted, they shall not Return any, unless he may dispend some Lands or Tenements out of ancient Demesne, and in the said Hundred, and also six Hundredors there, upon the like pains.

XXVI. Upon every Writ of *Habeas corpora*, or *Distringas*, with a *Nisi prius*, the said Sheriff or other Officer shall Return Issue upon every Man as followeth; viz. upon the first Writ 5 s. upon the second 10 s. upon the third 13 s. 4 d. and upon every other Writ afterwards 26 s. 8 d. in pain of 5 l.

XXVII. In every such Writ of *Habeas corpora*, or *Distringas*, if a full Jury appear not, or being full, fall short by challenge, the Justices (upon request of either Party) may command the Sheriff or other Officers to name so many others then present as may make the Jury full, who shall be added to the former Panel, and their Names annexed thereunto.

XXVIII. The Parties may have their Challenge to these *Tales de circumstantibus*, and the Justice may proceed to try the Issue by them, together with the others returned, as well as if such *Tales* had been returned upon such *Habeas corpora*, or *Distringas*, and in such case the Trial shall be as effectual as if it had been tried by twelve of the Jurors returned.

XXIX. If any of the *Tales* being present do not appear, or after appearance withdraw himself, the Justices may set a Fine upon him, to be Levied as Issues of Jurors use by the Common Law.

XXX. Albeit the Jury be made full by the *Tales*, yet the Jurors

Jurors that made default shall lose Issues, as if the Jury had remained defective for want of Jurors.

XXXI. Upon a reasonable excuse (for default of a Juror) proved by two Witnesses before the Justices, they may discharge the Issues lost, and in that case the Sheriff or other Officer shall not incur the Penalty for not returning Issues : Also upon the not coming of the Justices the Jurors shall be discharged of their Issues, and the Sheriff or other Officer of their Penalties.

XXXII. If upon any *Habeas corpus* or *Distingas* any Juror be not lawfully Summoned or Distrained, the Sheriff or other Officer shall lose double the Issues returned upon such Juror.

XXXIII. The said Forfeitures (not Issues) shall be divided betwixt the King and the Prosecutor.

XXXIV. The right of others to Issues so forfeited, is saved.

XXXV. The Act shall not extend to any Sheriff or Minister of a Corporation, so that they return like Issues as before are limited.

XXXVI. Stat. 4 & 5 P. M. 7. A *Tales de circumstantibus* may upon request for the King or Queen by any authorised thereunto, or assigned by the Court, or upon request by the Prosecutor or his Attorney, and by the command of the Justices of Assize or *Nisi prius*, be granted in a Suit commenced upon a Penal Statute.

XXXVII. The Statute of 35 H. 8. 6. shall be interpreted to give like Advantages to the King and Queen and Prosecutor, as it doth there to the Plaintiff, as if such Suits for the King had been there particularly mentioned.

XXXVIII. Stat. 5 El. 25. *Tales de circumstantibus* shall be grantable in the twelve Counties of *Wales*, and the Counties Palatine of *Chester*, *Lancaster*, and *Durham*, being of the same effect with the Statute of 35 H. 8. 6. See the Stat. at large.

XXXIX. Stat. 14 El. 9. In case the Plaintiff or Defendant forbear or refuse to pray a *Tales*, it shall be granted (by the Justices of *Nisi prius* in *England*, or those of *Oyre* or Assize in *Wales*, *Chester*, *Lancaster*, and *Durham*) at the Prayer of the Defendant or Tenant ; and that as well in Suits upon Penal Laws, as upon other Trials.

XL. Stat. 27 El. 6. The ability of Jurors returned upon Trials ordained by the Statutes of 2 H. 5. Stat. 2. cap. 3. and 35 H. 8. 6. to be 40 s. per Annum, is increased to 4 l. per Annum, upon the like pain of 20 s. to be Forfeited by the Sheriff or other Officer, for every Juror otherwise returned ; and in that respect the Writs shall be *Quor. quilibet habeat quatuor libras, &c.*

XLI. Here the Issues to be returned shall be as followeth, viz. upon the first Writ 10 s. upon the second 20 s. upon the third 30 s. and the double of 30 s. afterwards, until a full Jury be sworn, or the process otherwise cease : in pain that the Sheriff or other Officer

Officer shall Forfeit 5 *l.* for every Juror returned with less issues set upon him.

XLII. Upon Issues lost by a failure of lawful Summons, the Sheriff or other Officer shall Forfeit the double Issues.

XLIII. The Sheriff or other Officer that takes a Bribe, and agrees to take it directly or indirectly, for the sparing of a Juror, shall Forfeit 5 *l.* to be divided betwixt the Queen and the Prosecutor.

XLIV. Upon any Trial two Hundredors shall be hereafter deemed sufficient, notwithstanding any challenge hereafter to be made against the same.

XLV. All lawful challenges shall be admitted, notwithstanding this Act; neither shall it extend to Juries in Corporations or Wales.

XLVI. Stat. 16 & 17 Car. 2. cap. 3. An Act for the returning of able and sufficient Jurors. *Exp.*

Justice and Right, and Justices.

I. Stat. 2 E. 3. 8. No command shall be made under the great or little Seal to disturb or delay common Right, and the Justices shall proceed to do right, notwithstanding such commands.

II. Stat. 18 E. 3. Stat. 3. 1. The Oath to be given to Justices, when they take their Places, is to this effect; viz. To serve the King in their Offices, to warn him of any Damage, do Justice, take no Bribe, give no Counsel where he is a Party, maintain no Suit, nor deny Right (though by command from the King) to procure the King's profit, and to be answerable to the King in Body, Lands and Goods, if found in default.

III. Stat. 20 E. 3. 1. The Kings Justices shall do Right to all without respect of Persons, notwithstanding the Kings Letters or Commands to the contrary; and if any such be, they shall acquaint the King and his Council therewith: they shall take no Fee but of the King, nor give Counsel where he is a Party, and if they do amiss, they shall be at the Kings Will in Body, Lands and Goods.

IV. Stat. 20 E. 3. 2. The like is commanded to the Barons of the Exchequer, and to dispatch Businesses depending before them without delay.

V. Stat. 20 E. 3. 3. Justices assigned by Commission, and of Assize and Goal-delivery, and their Associates, shall make such Oath as shall be enjoined them by the Kings Council or the Chancellor, before their Commissions be delivered unto them.

VI. Stat. 1 Jac. 1. 10. None shall take any money or promise for the report of any Order or Cause referred unto them by any of the Kings Judges or Court, directly or indirectly, in pain of 5 *l.* and to lose his Office or Place in the same Court.

VII. The Forfeiture is to be divided betwixt the King and the Party grieved, if he will Sue for it; but if not, then betwixt the King and any other Prosecutor.

VIII. This

VIII. This Act shall not prohibit the Clerk from taking for his pains in writing the Report, viz. 12 *d.* for the first sheet, and 2 *d.* apiece for the rest.

Justices in Eyre.

I. Stat. 24. 52 H. 3. Justices in *Eyre* shall not amerce Townships, because all of 12 Years of Age came not before the Sheriffs and Coroners to make enquiry of Robberies, House-burnings, and other Offences against the Crown, so that a full Inquest of those Towns appear: Howbeit, upon an Inquest for the Death of a Man, all of twelve Years of Age ought to appear, unless they have some reasonable cause of absence.

II. West. 1. cap. 18. 3 E. 1. The common Fine and Amerciament of the whole County in *Eyre* of the Justices for false Judgment or other Tréspass, shall hereafter be assessed by the said Justices upon the Oaths of Knights and other honest Men, and not by Sheriffs and Barretors, as in times past hath been used: And the said Justices shall cause the Parcels thereof to be estreated into the Exchequer, and not the whole Sum only.

III. West. 2. cap. 10. 13 E. 1. Justices in *Eyre* (in their Circuits) shall appoint a certain time before which all Writs shall be delivered in, and then the Sheriff shall certifie the chief Justice in *Eyre* how many Writs he hath, and what they concern; after which time they shall not be received, or (if received) shall have no Force: Except Writs that abate during the Circuit, which may be amended; also except Writs of Dower of Men dying within the Summons of the Circuit, Assises of *Darrein presentment*, and *Quare impedit*, (of Churches vacant within the said Summons) and of *Novel disseisin*.

Justices of Assise.

I. Stat. Justic. Assisarum, incerti temporis. There shall be eight circumspect and discreet Justices assigned to take Assises, Juries and Certificates throughout the Realm; viz. Two in the Counties of *York*, *Northumberland*, *Westmerland*, *Cumberland*, *Lancashire*, *Nottingham*, and *Darby*; two in the Counties of *Lincoln*, *Leicester*, *Warwick*, *Stafford*, *Salop*, *Northampton*, *Rutland*, *Glocester*, *Hereford* and *Wigorn*; two in the Counties of *Cornwall*, *Devon*, *Somerset*, *Dorset*, *Wiltshire*, *Southampton*, *Oxon*, *Berks*, *Sussex*, and *Surry*; and two in the Counties of *Kent*, *Essex*, *Suffolk*, *Norfolk*, *Cambridge*, *Huntingdon*, *Bedford*, and *Buckingham*.

II. Assises, Juries and Inquests of *Middlesex*, shall be taken before the Justices of the Bench.

III. The said eight Justices so assigned, shall daily attend for that purpose at such Places as they shall think fit, and most for the ease of the People; and Writs of Assises, Juries, or Recognizances, shall be granted to be taken before none but them, save of the special grace of the King.

IV. Stat.

IV. Stat. 20 E. 3. 6. Justices of Assise have power to enquire of the misdemeanours of Sheriffs, Escheators, Bailiffs, and other Ministers, Imbracers and Jurors, and to punish such as be found guilty: And the Chancellor and Treasurer are to hear all complaints thereof, and to apply speedy remedy thereunto.

V. Stat. 6 R. 2. 5. Justices of Assise and Goal-delivery shall hold their Sessions in the chief Towns of every County, where the Shire-Courts there use to be holden.

VI. Stat. 8 R. 2. 2. No Man of Law shall be Justice of Assise or Goal-delivery in his own Country; and the Chief Justice of the Common Bench, shall be assigned amongst others to take Assises, and to deliver Goals; but as to the Chief Justice of the Kings Bench, it shall be as for the most part of one hundred Years last past hath been wont to be done.

VII. Stat. 11 R. 2. 11. Because it was found inconvenient to the Subject, that Justices of Assise should be bound to hold their Sessions where the Shire-Courts use to be held, the Chancellor, by the advice of the Justices, shall have power to order that otherwise, as need shall be, notwithstanding the Statute of 6 R. 2. 5.

VIII. Stat. 20 R. 2. 3. No Lord or other shall sit upon the Bench with the Justices of Assise, in pain of great Forfeiture to the King, and the Justices there commanded not to suffer it.

IX. Stat. 11 H. 4. 3. Justices of Assise shall deliver into the Treasury the Records of Assises of *Novel disseisin*, *Mortdancer*, and *Certifications*, every second Year after the Plea determined and Judgment given; and those Records shall not be amended or impaired after Judgment given and recorded.

X. Stat. 14 H. 6. 3. The Sessions of the Justices of Assise, and Goal-delivery in *Cumberland* shall be holden (in the time of Peace and Truce) in the City of *Carlisle*, and not elsewhere, according to the Statute of 6 R. 2. 5.

XI. Stat. 33 H. 8. 24. No Justice or other learned in the Law shall be Justice of Assise in the County where he was born or doth inhabit, in pain of 100 l. to be divided betwixt the King and the Prosecutor.

XII. This Statute shall not extend to the Clerk of Assise, or to any Associate, or to any such Justice of Assise.

XIII. Neither shall these words, *Justices of Assise, or others learned in the Law*, extend to Officers in Corporations, but that they may be Justices of Assise of fresh Force, or other Assises, in the places where they dwell or were born.

XIV. This Act shall not be prejudicial to any Justice of the one Bench or the other, for hearing and determining Assises in those Courts, nor to any Justice that shall take any Assise by Adjournment for difficulty thereof.

XV. The Clerk of Assise shall not (during the Sessions) be of

Justices of both Benches, &c.

of Counsel to any within the Circuit, otherwise than as to his Office appertains, in pain of 10 l. to be divided betwixt the King and the Party grieved.

XVI. This Act shall not extend to Justices Clerks, nor Clerks of Assise within the Dutchy and Countie Palatine of *Lancaster*.

Justices of both Benches.

I. *West. 1. cap. 46. 3 E. 1.* One Plea shall be decided by the Justices of the Kings Bench, before another be commenced; yet *Essoigns* shall be entred and allowed, but let none presume to Absent himself at the Day to him limited.

II. *Stat. 10 H. 6. Statutum per se.* The Justices, Serjeants, and the Kings Attorney, shall be paid their wages by the Treasurer of *England* at *Easter* and *Michaelmas* by even Portions, without any other Suit. *But this Statute is not in the printed Book of Statutes.*

Justices of Goal-delivery.

I. *Stat. De finibus levatis, Cap. 3. 27 E. 1.* Justices of Assise presently after the Assises taken shall deliver the Goals: but if one of them be a Clerk, the other that is Lay, associating unto him one of the most discreet Knights of the Countie, shall deliver the Goals.

II. The Justices shall then also inquire, whether Sheriffs or any other have let out by Plevin any Prisoners not pleviable, or have offended in any thing against the Statute of *West. 2. 13 E. 1.* and shall punish them according to the Form of the said Statute.

III. *Stat. 2 E. 3. 2.* Justices of Goal-delivery and Oyer and Terminer procured by great Men, shall not be made against the Form of the Statute *27 E. 1. cap. 3.* And Assises, Attaints, and Certifications shall be hereafter taken before Justices commonly assigned, being good and lawful Men, and having knowledge in the Law, and before none other, according to the Statute of *West. 2. 29 E. 1. which see in Oyer and Terminer. I.*

IV. *Stat. 4 E. 3. 2.* Good and discreet Persons shall be assigned in all Shires of *England* to take Assises, Juries, and Certifications, and to deliver the Goals three times in the year at least.

V. There shall also be signed good and lawful Men in every Countie to keep the Peace; and such as shall be indicted or taken by them, and are not bailable by Law, shall not be let to mainprise by the Sheriff or any other Minister, nor otherwise delivered than at the Common Law.

VI. Justices of Goal-delivery shall have power to deliver the Goals of those that stand indicted before the Keepers of the Peace, which Keepers shall send those Indictments before the

Justices of Goal-delivery, who shall have power to inquire of and punish Sheriffs, Goalers and others, which do any thing against this Act.

VII. Stat. 17 R. 2. 10. In every Commission of Peace, two Men of Law of the same County shall be assigned to go and proceed to the deliverance of Thieves and Felons.

Justices of Peace.

I. Stat. 1 E. 3. Stat. 2. 16. The King wills, that in every County good men and lawful, which be no Maintainers of evil, or Barretors in the County, shall be assigned to keep the Peace.

II. Stat. 4 E. 3. Stat. 1. cap. 2. Two or three of the best of reputation in the Counties shall be assigned Keepers of the Peace by the Kings Commission, who (together with other wise and learned in the Law) shall have power to hear and determine Felonies and Trespasses done in the same Counties, and to inflict punishment according to Law and Reason.

III. Stat. 34 E. 3. 1. There shall be assigned in every County for the keeping of the Peace, one Lord, and three or four of the most worthy of the County, with some learned in the Law, who shall have power to arrest and chastise Rioters, Barretors, and other Offenders, and also to imprison and punish them according to Law, and by discretion and good advisement; also to bind people of evil fame to the good behaviour, and to hear and determine Felonies and Trespasses done in the same County according to Law.

IV. Writs of *Oyer* and *Terminer* shall be granted according to the Statutes thereof made, and the Justices thereof shall be named by the Court, and not by the Party.

V. All general Inquiries heretofore granted within any Seignories (or the mischiefs done thereby) shall from henceforth cease and be repealed.

VI. The Fines imposed by Justices of Peace for Trespasses shall be reasonable and just.

VII. Stat. 36 E. 3. 12. In the Commissions of Justices of Peace, and Labourers, express mention shall be made, that they shall keep their Sessions four times in the Year; viz. one within the *Utas* or *Octabis* of *Epiphany*, the second within the second Week of *Lent*, the third betwixt the Feasts of *Pentecost* and *St. John Baptist*, and the fourth within eight Days of *St. Michael*.

VIII. Stat. *Canterb.* cap. 10. 12 R. 2. In every Commission there shall be but six Justices assigned, who shall keep their Sessions every Quarter at least, in pain to be punished at the discretion of the Kings Council.

IX. Every Justice of Peace shall have for his Wages 4 s. a Day, and the Clerk of the Peace 2 s. for so long time as the Sessions

Sessions shall last, to be paid by the Sheriffs out of the Fines and Amerciaments arising at the same Sessions, whereunto Lords of Franchises shall be also contributory after the rate of their Part of such Fines and Amerciaments.

X. No Steward of any Lord shall be assigned in any Commission of Peace, neither shall any Association be made to the Justices of Peace after the first Commission.

XI. Judges and Serjeants at Law shall not be bound to attend the Sessions, but when they can conveniently attend it.

XII. Stat. 13 R. 2. Stat. 1. 7. Notwithstanding the Statute of 12 R. 2. 10. which prohibits the Stewards of Lords to be Justices of the Peace, the most sufficient Knights, Esquires and Gentlemen of the Law shall be put in Commission, and sworn to put in Execution, without favour, all Statutes which concern their Office.

XIII. Stat. 14 R. 2. 11. There shall be eight Justices of Peace assigned in every County.

XIV. Double Etreats of the Fines and Amerciaments arising at the Sessions shall be made, containing the names of all the Justices there present, and the number of Days they sit, and one of them delivered to the Sheriff, out of which he is to answer to the Justices their Wages by Indenture, according to which the Sheriff shall be again allowed the Wages in the Exchequer upon his Account: but no Duke, Earl, Baron or Baronet (although he be Justice of Peace and holds Sessions with the other eight) shall have any Wages allowed him. *Quære whether it ought not to be Banneret; for so it is in the first Edition of Rastal, which I have.*

XV. Stat. 2 H. 5. Stat. 1. 4. Justices of Peace in every Shire named of the *Quorum* shall be Resident within the same Shire (except Lords, Judges, Serjeants at Law, and the Kings Attorney) and shall keep their Sessions four times in the Year; viz. in the first Week after *Michaelmas*, *Epiphany*, *Easter*, and the Translation of *St. Thomas* the Martyr, viz. *Becket*, being the 7th of *July*; and oftner if need require.

XVI. Stat. 2 H. 5. Stat. 2. 1. Justices of Peace shall be made of the most sufficient Persons dwelling in the same Counties, by the advice of the Chancellor and the Kings Council, without taking others dwelling in Foreign Countries to execute that Office, except Lords, Justices of Assise, and the Kings chief Steward of the Dutchy-lands in the North and South parts

XVII. Stat. 14 H. 6. 4. Justices of Peace of *Middlesex* are not compellable to keep their Sessions above twice in the Year, notwithstanding the Statute of 12 R. 2. 10. yet may they keep them oftner, if need be, at their discretions.

XVIII. Stat.

XVIII. Stat. 18 H. 6. 11. None (except Men learned in the Law, or inhabiting Corporations) shall be Justices of Peace, unless their Lands be worth 20 *l. per annum*.

XIX. If any be put into the Commission not having Lands to that value, and do not within one Month after notice thereof acquaint the Lord Chancellor therewith, or do sit or make any Warrant by force of such Commission, he shall Forfeit to the King 20 *l.* to be divided betwixt the King and the Prosecutor.

XX. Stat. 3 H. 7. 1. Justices of Peace shall at the next General Sessions certify Recognizances taken for keeping the Peace, where, if the Party being called do not appear, those Recognizances shall be certified into the Chancery, Kings Bench, or Exchequer.

XXI. Stat. 4 H. 7. 12. The King commandeth all Justices of Peace diligently to exercise their Office, to the end that his People by that means living in Peace, and enjoying their own, Husbandry may flourish. He also chargeth all, both poor and rich, that shall suffer any Grievance from others (wherein a Justice of Peace may intermeddle) that they forthwith make complaint thereof to the next Justice of Peace, and having no remedy there, to the Justices of Assize, if it be not long before their coming into that Country; but if it be, then to the Chancellor for the time being: and then the King will send for the Justice so neglecting his Duty: and in case he shall find him guilty thereof, will cause him to be put out of the Commission, and otherwise punished according to his Demerits. And this Statute shall be proclaimed at every Quarter-Sessions, in pain that every Justice there present when it is not so proclaimed, shall Forfeit to the King 20 *s.*

XXII. Stat. 2 & 3 P. & M. 18. A new Commission of the Peace or Goal-delivery for the whole County shall not be a *Superseas* to a former like Commission granted to a City or Town-Corporate being no County.

Keeper of the Great Seal of England.

I. Stat. 5 El. 18. **T**he Authority, Pre-eminence and Advantages of the Lord Keeper of the Great Seal, and of the Lord Chancellor, are declared to be the same to all Intents, Instructions and Purposes.

King.

I. Stat. 13 Car. 2. cap. 1. If any during the Kings Life advisedly publish or affirm the King to be an Heretick or Papist, or that he endeavours to introduce Popery, or shall advisedly publish or utter any Words or Things to stir up the People

to dislike of the Kings Person or the Government, such Persons being thereof Convicted, shall be disabled to have or exercise any Office or Promotion Ecclesiastical, Civil or Military, or any Imployment in Church or State, other than that of their Peerage.

II. None shall be prosecuted for any of these Offences, but by Order of the King or his Successors, under the Sign-Manual, or of the Council-Table, to some of the Kings Council learned, nor unless they be prosecuted within six Months after the Offence committed, and Indicted within three Months after such Prosecution.

III. The Offender must be accus'd by two Witnesses, who at his Arraignment must be brought before him, face to face.

IV. A Peer Convicted shall be disabled during his Life to sit in Parliament, unless the King pardon him. The Kings Pardon shall restore Peers and Commoners, as if they never had been Convicted.

Knights.

I. Stat. De milit. 1 E. 2. Divers Causes for which a Man may be excused from taking upon him the Order of Knighthood. See the Statute at large.

II. Stat. 16, 17 Car. 1. 20. None shall be hereafter compelled by Writ or otherwise to take upon him the Order of Knighthood, and all Proceedings concerning the same shall be void.

Labourers, Artificers, Servants, and Apprentices.

* I. Stat. 2, 3 E. 6. 15. **A**rtificers, Workmen and Labourers, that conspire together concerning their Work or Wages, every of them so conspiring, shall Forfeit for the first Offence 10 l. to the King; and if he pay not within six Days after Conviction by Witness, Confession, or otherwise, he shall suffer twenty Days Imprisonment, and during that time shall have no Sustenance but Bread and Water: for the second Offence he shall Forfeit 20 l. and that not paid within six Days, as aforesaid, shall suffer the Pillory: and for the third Offence shall Forfeit 40 l. and that not paid within the said time, shall again suffer the Pillory, lose one of his Ears; and be ever after taken as a Man infamous and not to be credited.

 II. Justices of Assize, Justices of Peace, Mayors, Bailiffs and Stewards in Sessions, Leets and Courts, have power to hear and determin these Offences. But Quære, Whether this Branch of this Statute be not Repealed by the general Words of 5 El. 4. following.

following. Revised and Continued 22 & 23 Car. 2. cap. 19.
1 Jac. 2. cap. 17.

* III. Stat. 5 El. 4. So much of all Statutes made, and every Branch thereof, as touch or concern the Hiring, Keeping, Departing, Working, Wages or Order of Servants, Workmen, Artificers, Apprentices and Labourers, or any of them; and the Penalties and Forfeitures concerning the same, are Repealed: Howbeit the said Statutes, and every Branch and Matter therein contained, not Repealed by this Act, shall remain in force.

IV. None shall Hire or be Hired for less than one whole Year in the Arts of Clothier, Woollen Weaver, Tucker, Fuller, Cloth-Worker, Sheer-Man, Dyer, Hosier, Tailor, Shoe-maker, Tanner, Pewterer, Baker, Brewer, Glover, Cutler, Smith, Farrier, Currier, Sadler, Spurrier, Turner, Capper, Hat or Felt-maker, Fletcher, Arrow-Head-maker, Butcher, Cook, Miller.

 V. Every Person unmarried, or under the age of thirty Years though married, having been brought up in any of the Arts abovesaid by the space of three Years, and not worth in Lands 40 s. *per annum*, or in Goods 10 l. and so allowed under the Hands and Seals of two Justices of Peace, the Head Officer, or two discreet Burgesses of the Place, where the Party so brought up hath lived by the space of one whole Year, not already retained in Husbandry, the Arts abovesaid, or any other Art or Mystery, or in any Service, upon request of any Person using the same Art, shall not refuse to serve for the Wages limited by the Statute; and being so retained, shall not depart from his or their Service without one Quarters warning before two lawful Witnesses, or some lawful Cause to be proved before one Justice of Peace, or Head Officer, in pain of Imprisonment without Bail; but upon Submission to perform the Service, they shall be enlarged without Fees: which Commitment and Enlargement two Justices of Peace, the Head Officer, or two Burgesses, as aforesaid, unto whom Complaint shall be made, have power to command, as in their discretions, upon due proof shall be thought fit.

VI. Every Person between the age of 12 and 60, not already retained in any Service, nor employed about Husbandry, Mines, Glass, Coal, Fishing, Sailing, Provision of Grain or Meal for London, nor Gentleman born, nor Scholar in any University or School, nor worth 40 s. *per annum* in Lands, or 10 l. in Goods, nor having a Father, Mother or other Ancestor (whose Heir he is) worth 10 l. *per annum* in Lands, or 40 l. in Goods, shall be compelled to serve in Husbandry, and shall not depart that Service, otherwise than as is before limited, upon pain above expressed.

VII. None shall put away his Servant before the end of his Term, without a Quarters warning, or some lawful Cause to be proved by two sufficient Witnesses before the Justices of *Oyer and Terminer*, Justices of Assize, Justices of Peace in Sessions, a Head Officer, or two discreet Aldermen or Burgessees, in pain of 40 s.

VIII. No Servant having served in one City or Town shall get to serve in another without a Testimonial, viz. in a Town-Corporate under the Seals of the Town and two Householders there, and in the Country under the Seals of the Constable or Constables and two Householders there: which Testimonial shall be made and delivered to the Party, and also Registered by the Minister of the Place where the Servant dwelt, for which the Master is to have Two Pence.

IX. The Form of the Testimonial is this: *Memorandum, That A. B. Servant to C. D. of I. in the County of E. Husbandman or Tailor, &c. in the said County, is licensed to depart from his said Master, and is at his liberty to serve elsewhere, according to the Statute in that case made and provided. In witness, &c.*

X. The Servant which sheweth not such a Testimonial to the Chief Officer in a Corporation, or to the Minister or some Officer in any other Place where he is to dwell, shall suffer Imprisonment till he procure one: and if he procure not one within twenty one days after his Imprisonment, or shew a false one, he shall be punished by Whipping as a Vagabond: and the Master that retains a Servant without such a Testimonial, shall Forfeit 5 l.

XI. Those that work by the Day or Week shall continue at work, betwixt the middle of *March* and the middle of *September*, from Five in the Morning till betwixt Seven and Eight at Night, except two Hours allowed for Breakfast, Dinner, and Drinking, and half an hour for Sleeping, from the midst of *May* to the middle of *August*; and all the rest of the year from Twilight to Twilight, except an hour and an half allowed for Breakfast and Dinner: in pain to have one Penny defaulted out of their Wages for every hours absence.

XII. None that takes Work by great shall leave the same before it be quite finished, except for not payment of his Wages, the Queens Service, Licence of the Work-master, or other lawful Cause, in pain to suffer one Months Imprisonment without Bail, and to Forfeit 5 l. to the Party grieved, besides his Costs and Damages to be recovered at the Common Law for the loss sustained.

XIII. None retained in Service to work shall depart without Licence, in pain of one Months Imprisonment.

XIV. Such

XIV. Such Wages of Labourers, Artificers, and others, as have been formerly rated, or concern Husbandry, shall be yearly Assessed for the County by the Sheriff and Justices of Peace in Sessions, and in Corporations by the Head Officer at their *Easter* Sessions, or within Six Weeks after, and before the 12th of *July* following shall be certified under their Hands and Seals in the Chancery: whereupon the Lord Chancellor or Keeper shall send down Printed Proclamations thereof into every County and Corporation, before the First of *September* then next following, which the said Sheriffs, Justices and Head Officer, shall before *Michaelmas* after, cause to be Introlled and Proclaimed. But here, where the old Rates shall be certified to stand, no Proclamation is needful.

XV. A Justice of Peace or Chief Officer which shall be absent at taking of Wages (being not letted by Sicknes, or some other reasonable Cause to be allowed by the Justices upon *Affidavit*) shall Forfeit 10 l.

XVI. None shall give greater Wages than those so Rated as aforesaid, in pain of 5 l. and ten days Imprisonment without Bail: and if any Person shall be Convicted before two Justices of Peace or a Head Officer, of taking more Wages, he shall suffer Twenty one days Imprisonment without Bail.

XVII. Every Retainer, Promise, Gift or Payment of Wages, or other thing contrary to the true meaning of this Act, and every Writing and Bond to be made for that purpose, shall be void.

XVIII. If any Servant or other shall be Convicted before two Justices of Peace, or a Chief Officer, as aforesaid, by his own Confession, or the Testimony of two honest Men, to have assaulted his Master, Mistress, Dame or Overseer, he shall suffer one years Imprisonment, or less, if the Justice or Chief Officer shall think fit; and if the Party shall be thought to deserve a more severe Punishment, then to receive such open Punishment (Life and Member excepted) as the Justices in Sessions, or the Chief Officer and four of the discreetest Men in the Corporation shall think convenient.

XIX. Artificers shall work in Hay-time and Harvest, in pain of Imprisonment in the Stocks two days and one night, which the Constable shall inflict upon them, in pain of 40 s.

XX. It shall be lawful for Labourers (other than such as are retained in Service according to this Statute) to go to other Shires to work in Hay-time and Harvest, so that they bring with them a Testimonial under the Hand of one Justice of Peace, or a Chief Officer, testifying that they have not sufficient Work in the Place where they lived the Winter before; for which Testimonial they shall only pay a Penny.

XXI. Every unmarried Woman, fit to serve, being above twelve Years old, and under forty, shall by two Justices of Peace, a Chief Officer, or two Burgesses, be compellable to serve for convenient Time and Wages, in pain of Imprisonment.

XXII. Husbandmen being Housholders, and using half a Ploughland at least in Tillage, may take by Indenture Apprentices above the Age of ten Years, and under eighteen, to serve in Husbandry until the Age of twenty one Years at least, or twenty four Years, as the Parties can agree.

XXIII. Every Housholder of the Age of twenty three Years, dwelling in a Town-Corporate, and using there any Art or Mystery, shall and may take an Apprentice for seven Years at least; howbeit, the Term ought not to expire before the Apprentice accomplish the age of twenty four Years.

XXIV. Merchants, Mercers, Drapers, Gold-smiths, Ironmongers, Embroiderers and Clothiers, dwelling in Corporate Towns, shall take no Apprentices but their own Children, or such whose Parents have Inheritance or Freehold of 40 s. *per annum*, to be certified under the Hands and Seals of three Justices of Peace of the County where such Lands lie, to the Head Officer of the said Corporation, who shall cause the same to be Recorded. Artificers in Market-Towns not Corporate, being Housholders, and of the age of twenty four Years, may take other Artificers Children to serve as Apprentices.

XXV. Merchants, Mercers, Drapers, Gold-smiths, Ironmongers, Embroiderers and Clothiers, dwelling in Market-Towns not Corporate, shall take no Apprentices but their own Children, or such whose Parents have Inheritance or Freehold worth 3 l. *per annum*, to be certified under the Hands and Seals of three Justices of Peace, as aforesaid.

XXVI. Smiths, Wheel-wrights, Plough-wrights, Mill-wrights, Carpenters, Rough-masons, Plaisterers, Sawyers, Lime-burners, Brick-makers, Brick-layers, Tilers, Salters, Helyers, Tile makers, Linen-weavers, Turners, Coopers, Mills, Earthen-Potters, Woollen-weavers (of House-wives Cloth only) Fullers, Wood-burners, Thatchers and Shinglers, may take Apprentices though their Parents have no Land.

XXVII. None which hath not served an Apprentice seven Years in any Art or Mystery now used, shall use the same, or set any other to work therein which hath not so served out that time, in pain to Forfeit 40 s. for every month.

XXVIII. Woollen Cloth Weavers (other than such as inhabit Cumberland, Westmerland, Lancaster or Wales, or in Cities, Corporations, or Market-Towns) shall take no Apprentices, nor teach any their Art, save their own Children, or such whose

Parents

Parents have Inheritance or Freehold worth 3 *l.* per annum, to be certified under the Hands and Seals of three Justices of Peace of the County where the Lands lie, in pain to Forfeit 20 *s.* for every month: and the Indenture shall within three months be Registered in the Parish where the Master dwells, the Fee of which Registering is 4 *d.* *This Section Repealed* per Stat. 5 & 6 W. & M. cap. 9.

XXIX. Every Cloth-worker, Fuller, Sheer-man, Weaver, Tailor and Shoe-maker, shall for every three Apprentices keep one Journey-man, and for every Apprentice above three another Journey-man, in pain of 10 *l.*

XXX. This Act shall not prejudice Worsted-makers nor Worsted-weavers in *Norwich* and *Norfolk*.

XXXI. If any Person fit to make an Apprentice refuse to serve upon demand, one Justice of Peace, Mayor, or Head Officer, unto whom Complaint thereof shall be made, hath power to commit him to Ward, until he shall be willing to serve accordingly.

XXXII. If there shall arise any Difference betwixt the Master and the Apprentice, one Justice of Peace in the Country, or Mayor or Head Officer in a Corporation or Market-Town, shall have power to reconcile it, if they can; if not, then to bind over the Master to the next Quarter-Sessions: where the Justices of Peace, or any four of them, (1 *Qu.*) or the Head Officer with the consent of three of his Brethren, shall, upon default found in the Master in Writing under their Hands and Seals, have power to discharge the Apprentice of his Service; and if default be found in the Apprentice, then to inflict such Punishment upon him as in their Discretions shall be thought fit.

XXXIII. None shall be bound to enter into an Apprenticeship, other than such as be under the age of twenty one Years.

XXXIV. Justices of Peace in their several Divisions, and Head Officers in Towns Corporate, shall meet twice every year, viz. once betwixt *Michaelmas* and *Christmas*, and another time betwixt the *Lady-day* and *Midsummer*, to give order for the due execution of this Statute.

XXXV. Justices of Peace and Head Officers shall have 5 *s.* for every day they sit about the execution of this Statute, to be allowed them out of the Fines which accrue upon the breach thereof, so that their sitting be only for matters contained in this Statute, and not above three days at one time.

XXXVI. The Forfeitures aforesaid (except those otherwise limited) shall be divided betwixt the Queen and the Prosecutor: and all Justices of Peace, or any two of them, (1 *Qu.*) and every Head Officer shall have power to hear and determine the breach of this Statute, upon Indictment or other-

wife, and to award Process and Execution accordingly ; and shall yearly in *Michaelmas-Term* by Estreat certifie into the Exchequer the Fines which accrue upon this Statute, in manner as they ought to do in other Cases.

XXXVII. This Act shall not restrain the Cities of *London* and *Norwich* from taking of Apprentices as in times past.

XXXVIII. None shall take Apprentices otherwise than is limited by this Act, in pain of 10 l. and all Indentures otherwise made shall be void.

XXXIX. An Apprentice shall be bound by his Indentures, notwithstanding his non-age of 21 years.

XL. The Inhabitants of *Godalming* in *Surry* may take and use such Arts and Apprentices as Market-Towns may do by virtue of this Act.

XLI. The Fines accruing by this Act in Towns-Corporate shall be appointed by the Head Officer, to be Collected as other Fines and Amerciaments for the use of the same Towns.

XLII. When an Apprentice departs from his Masters Service into another County or Corporation, it shall be lawful for the Justice of Peace or Head Officer there, being Justices of Peace, to direct a *Capias* to the Sheriff or other Chief Officer for his Apprehension ; and being taken, the said Justice of Peace or Head Officer shall commit him to Ward until he give good Security that he will honestly serve out his Time.

XLIII. Notwithstanding this Act, High-Constables have power to keep their Statute-Sessions, so that they there do nothing repugnant thereunto.

 XLIV. Stat. 1 Jac. 1. 6. The Statute of 5 Eliz. 4. shall give power to the Justices of Peace to Rate the Wages of any Labourers, Weavers, Spinners, and Work-men or Work-women whatsoever.

XLV. The Rating of such Wages in Sessions by the more part of the Justices within any particular Riding or Division (where General Sessions have been used severally to be kept) shall be as effectual as those Rated at the General Sessions of the whole County.

XLVI. The Sheriffs and Head Officers within their several Precincts shall cause the said Rates to be Proclaimed in such sort as if they had been sent down Printed from the Lord Keeper, which all Persons shall be bound to observe, upon the Pains and Penalties mentioned in the said Statute of 5 Eliz. 4.

XLVII. A Clothier or other Convicted before the Justices of Assize or Peace in Sessions, or before two Justices of Peace (1 Quor.) by his own Confession, or the Evidence of two Witnesses, not to have observed the said Rates, by pay-
ing

ing less than the Rates so appointed, shall forfeit 10s. to the Party grieved, to be Levied upon Warrant from the same Justices by Distress and Sale of his Goods.

XLVIII. None shall incur any danger for not making Certificate of the Rates into the Chancery according to 5 *Eliz.* 4.

XLIX. A Clothier being also a Justice of Peace, shall not be a Rater of Wages for any Artificers that depend upon making of Cloth.

Lancaster.

I. Stat. 33 *H.* 6. 2. An Indictment found in *Lancashire* against a Foreigner dwelling in another County shall be void, unless each Juror had Lands and Tenements there of the yearly value of 5*l.*

II. The like Law is of an Indictment found in another County (and not in *Lancashire*) against an Inhabitant of *Lancashire*, where each Juror hath not Lands and Tenements worth 5*l. per annum.*

III. Stat. 37 *H.* 8. 16. Lands annexed to the Duchy of *Lancaster*, and these exchanged by the King with others for the enlargement and conveniency of the said Duchy. *See the Statute at large.*

IV. Stat. 2 & 3 *P. M.* 20. A farther Enlargement of the said Duchy. *See the Statute.*

Leases.

I. Stat. 32 *H.* 8. 28. Leases made by Tenant in Tail, or by him who is seized in the Right of his Wife or Church, (they being of full Age at the time of such Lease made) shall be good and effectual in the Law against the Lessors, their Wives, Heirs and Successors.

II. This Statute shall not extend to any Lease to be made of Lands in the hands of any Farmer by force of any old Lease, unless such old Lease expired within a Year after the making of the new; nor to any Grant to be made of any Reversion of Manors, Lands, &c. nor to any Lease of such Manors, Lands, &c. which have not been Let to Farm, or Occupied by Farmers twenty Years before such Lease made; nor to any Lease to be made without Impeachment of Waste, nor to any Lease to be made for above twenty one Years or three Lives, from the Day of the making thereof, and that upon every such Lease there be reserved so much yearly Rent as hath been usually paid for the Lands so Let within twenty Years next before such Lease made: and the Reversioners of the Manors, Lands, &c. so Let (after the Death of such Lessor or his Heirs) may have such Remedy against such Lessee, his Executors and Assigns, as such Lessor might have had against such Lessee.

III. Provided, That all Leases made by the Husband of Manors, Lands, &c. (being the Inheritance of the Wife) shall be made by Indenture in the name of Husband and Wife, and she to Seal to the same, and the Rent shall be reserved to the Husband and Wife, and the Heirs of the Wife: and here the Husband shall not alien or discharge the Rent, or any part thereof, longer than during the Coverture, unless it be by Fine Levied by Husband and Wife.

IV. This Act shall not extend to give liberty to take more Farms or Leases than might have been taken before this Act, (*vide Stat. 25 H. 8. 13. Sheep*) nor to any Parson or Vicar to make any Lease otherwise than they might have done before.

V. All Leases for Years made within Three Years before the 12th of April in 31 H. 8. by Writing Indenture under Seal by any Person or Persons of full age, *sane Memory*, not unlawfully coerced, nor covert Baron, of any Manors, Lands, &c. wherein he or they have an Estate of Inheritance to his or their own use at the time of the making thereof, and whereof the Lessee or Lessees, or their Assigns, have now the Possession by force of such Lease or Leases, and no cause of Re-entry or Forfeiture thereof had or made, shall be good in Law against such Lessors, their Heirs and Successors; so as so much yearly Rent be reserved for the same as was paid for the same within twenty Years next before the making of such Lease or Leases: or else such Lease or Leases to be of no other force than they were before the making of this Act.

VI. No Fine, Feoffment, or other Act done by the Husband only of the Inheritance of Free-hold of the Wife, shall make any discontinuance, or prejudice the Wife, or any other who is to enjoy it after her Decease; the Fines Levied by the Husband and Wife only excepted.

VII. This Act shall not give Liberty to the Wife or her Heirs to avoid any Lease hereafter to be made of the Wifes Inheritance by the Husband and Wife for twenty one Years or under, or three Lives, whereupon the accustomed yearly Rent for twenty Years before is reserved, according to the Tenor of this Act.

VIII. This Act shall not extend to make good any Lease made by any Ecclesiastical Person which is made void by Authority of Parliament, or by any such Person or other now Attainted of Treason.

IX. *Stat. 1 Eliz. not Printed.* All Estates made by any Archbishop or other Bishop, of any Manors, Lands, &c. parcel of the Possessions of their Bishoprick, or united or appertaining thereunto, to any Person or Persons, Body Politick or Corporate, other than to the Queen, her Heirs and Successors, and other than for the Term of twenty one Years or three Lives from the time

time of such Estate made, and whereupon the accustomed yearly Rent or more shall be reserved and payable yearly during such Term of twenty one Years or three Lives, shall be void to all intents and purposes.

X. Stat. 13 Eliz. 10. All Leases, Conveyances or Estates, made by any Master or Fellows of any College, Dean and Chapter, or any Cathedral or Collegiate Church, Master or Guardian of any Hospital, Parson, Vicar, or any other having any Spiritual or Ecclesiastical Living, or any Houses, Lands, Titles, or other Hereditaments, being parcel of their College, Cathedral, Chapter, Hospital, Parsonage, Vicarage, or other Spiritual Promotion, or belonging thereunto, other than from twenty one Years or three Lives from the making thereof, and whereupon the accustomed yearly Rent or more shall be reserved and payable yearly during the Term, shall be utterly void to all intents and purposes.

XI. This Act shall not make good any Lease or other Grant against the Private Statutes of any College or Collegiate Church.

XII. This Act shall not extend to any Lease hereafter to be made upon surrender of a former Lease, or by reason of any Covenant or Condition contained in any former Lease, and still continuing; so as the Lease to be made contain not more Years than the residue of the Years of such former Lease, nor any less Rent than is thereby reserved.

XIII. Stat. 13 Eliz. 20. No Lease made of any Benefice or Ecclesiastical Promotion with Cure, or any part thereof, (and not Impropriated) shall endure any longer than while the Lessor shall be ordinarily resident and Serving the Cure of such Benefice, without absence above 80 Days in any one Year, but that every such Lease *so soon as it, or any part thereof, shall come into any Possession or Use above forbidden*, or immediately upon such absence shall cease and be void: and the Incumbent so offending shall lose a Years Profit of his Benefice, to be distributed by the Ordinary among the Poor of the Parish.

XIV. Provided, That every Parson allowed to have two Benefices may Demise one of them (upon which he is not most ordinarily resident) to his Curate only; but such Lease shall endure no longer than during such Curates residence, without absence above 40 Days in any one Year.

XV. Stat. 14 Eliz. 11. In the Statute of 13 Eliz. 20. these words [*so soon as it, or any part thereof, shall come into any Possession or Use above forbidden, or*] Repealed.

XVI. All Bonds, Contracts, Promises and Covenants hereafter to be made for suffering or permitting any Person to enjoy any Benefice or Ecclesiastical Promotion with Cure, or to take the Fruits thereof, (other than such Bonds and Covenants made
for

for Assurance of any Lease hereunto made) shall be adjudged of such validity (and no otherwise than) as Leases thereof made. The like Law is of Leases, Bonds, Promises, or Covenants, made by Curates.

XVII. The Branch of the Statute of 23 *Eliz.* 10. made to avoid certain Leases made by certain Persons having Spiritual Livings, shall not extend to Houses situate in Corporations or Market-Towns or the Suburbs thereof, nor unto the Grounds appertaining to such Houses, so as they be not the Dwelling-houses of such Persons, nor have above 10 Acres of Ground belonging to them.

XVIII. Provided, That no Lease shall be made by force of this Act in Reversion, or without reserving the accustomed yearly Rent at least, or without charging the Lessee with Reparations, or for longer Term than 40 Years. Neither shall any such Houses be alienated without Purchasing presently after other Lands in Fee-simple of as good Value, and as great yearly Value as the Houses so alienated.

XIX. Stat. 18 *Eliz.* 6. Upon Leases made by Colleges in the two Universities, *Winchester* and *Eaton*, the third part of the Rent shall be reserved in Grain, to be delivered to them yearly at Days prefixed, after the Rate of 6s. 8d. for a Quarter of Wheat, and 5s. for a Quarter of Malt, or under those Prices: or it shall be in the Election of the Lessee to pay them in kind, at the best Rates found in those several Markets respectively the next Market-days before the said Day prefixed for the payment or delivery thereof: and all Leases otherwise made, and all Bonds and Assurances given to the contrary, shall be void. Which said Grain or Money shall be expended for the Relief of the Commons and Diet of the said Colleges respectively without Fraud, in pain of Deprivation of the chief Rulers of such Colleges respectively, and of all others consenting thereunto.

XX. This Act shall not extend to any Lease to be made by the President and Scholars of *St. John's College* in *Oxford* of the Manor of *Fisfield*, to the Heir Male of *Sir Thomas White* Knight, late Alderman of *London*, and Founder of the said College.

XXI. Stat. 18 *Eliz.* 11. All Leases made by such Persons as are mentioned in the Statute of 13 *Eliz.* 10. where another Lease is in being, not to be expired, surrendered or ended within three Years next after the making of such new Lease, shall be void: And all Bonds and Covenants for removing of any such Lease contrary to this Act, or to the said Statute of 13 *Eliz.* 10. shall also be void. Howbeit this Act shall not extend to any Lease or Leases heretofore made by any such Person or Persons.

XXII. After

XXII. After Complaint to the Ordinary, and Sentence given upon any Offence Committed by the Incumbent against the Statute of 13 *Eliz.* 20. whereby he ought to lose the Profits of his Benefice, the Ordinary within two Months after such Sentence given, and Request made by the Churchwardens or one of them, shall grant the Sequestration thereof to such Inhabitant or Inhabitants there, as to him shall seem convenient: and upon default in the Ordinary, it shall be lawful to every Parishioner there to retain his Tythes, and for the Churchwardens to take the Profits of the Glebe, and other Rents and Duties of such Benefice, to be employed to the use of the Poor, until the Sequestration shall be committed by the Ordinary; and then the Churchwardens and Parishioners are to Account to him or them to whom such Sequestration shall be committed, and he or they shall employ the said Profits to such Uses as by the said Statute of 13 *Eliz.* 20. are appointed, in pain to forfeit the double value of the Profits withholden, to be recovered in the Ecclesiastical Court by the Poor of the Parish.

XXIII. Stat. 43 *Eliz.* 9. All Judgments hereafter to be had for the intent to have or enjoy any Lease contrary to the Statute of 13 *Eliz.* 20. 14 *Eliz.* 11. and 18 *Eliz.* 11. or any of them, shall be deemed void, in such sort as Bonds and Covenants are appointed to be void, which are made for that purpose.

Lee River.

I. Stat. 13 *Eliz.* 18. For making the River of *Lee* Navigable from *Ware* to *London*. See the Statute.

Leet.

I. Stat. 18 *Ed.* 2. The Articles of the Charge in a Leet.

II. Stat. 1 *Jac.* 1. 5. No Steward or Deputy-Steward of any Leet or Court Baron, shall make Benefit to the value of 12*d.* or more by colour of any Grant made of the Profits or Perquisites of any such Courts whereof he is Steward, in pain to be disabled for ever after to be Steward of any Court, and besides to forfeit 40*l.* to be divided betwixt the King and the Prosecutor.

Libel.

I. Stat. 2 *H.* 5. 3. A Copy of a Libel grantable in the Ecclesiastical Court, shall be presently delivered upon the Defendants appearance.

Limitation.

Limitation.

I. *Mert.* 20 *H.* 3. 8. Seisin of ones Ancestor in a Writ of Right shall be from the time of *H.* 2. in a *Mortdancestor*, Writ of *Neife*, and of *Entry*, from the last return of King *John* out of *Ireland*; and in an Affise of *Novel Disseisin*, from *Henry* the Third's first Voyage into *Gascoign*.

II. *West.* 1. 3 *E.* 1. 39. Seisin of ones Ancestor in a Writ of Right, shall be from the time of *R.* 1. in an Affise of *Novel Disseisin*, and *Nuper obiit*, from *H.* 3. his Voyage into *Gascoign*; and in a *Mortdancestor*, *Cosenage*, *Ayel*, and *Neife*, from the Coronation of *H.* 3.

III. *Stat.* 32 *H.* 8. 2. Seisin in a Writ of Right, shall be within sixty Years before the *Teste* of the same Writ.

IV. In a *Mortdancestor*, *Cosenage*, *Ayel*, Writ of *Entry sur Disseisin*, or any other possessory Action, upon the Possession of his Ancestor or Predecessor, it shall be within fifty Years before the *Teste* of the Original of any such Writ.

V. In a Writ upon the Parties own Seisin or Possession, it shall be within thirty Years before the *Teste* of the Original of the same Writ.

VI. In an *Avowry* or *Cognisance* for Rent, Suit or Services of the Seisin of his Ancestor, Predecessor, or his own, or of any other whose Estate he pretends to have, it shall be within forty Years before the making of such *Avowry* or *Cognisance*.

VII. *Formedons* in *reverter* or *remainder*, and *Scire facias* upon Fines shall be Sued within fifty Years after the Title or Cause of Action accrued, and not after.

VIII. The Party Demandant, Plaintiff or Avowant, that (upon *Traverse* or *Denier* by the other Party) cannot prove actual Possession or Seisin within the times above limited, shall be for ever after barred in all such Writs, Actions, *Avowries*, *Cognisance*, *Prescription*, &c.

IX. Provided, That in any of the said Actions, *Avowries*, *Prescriptions*, &c. the Parties grieved may have an *Attaint* upon a false Verdict given.

X. *Stat.* 1 *M.* 1 *Parl.* 2. *Sess. cap.* 5. The Statute of 32 *H.* 8. 2. shall not extend to a Writ of Right of *Advowson*, *Quare Impedit*, Affise of *Darrein Presentment*, *Jure Patronatus*, Writ of Right of Ward, Writ of Ravishment of Ward, nor to the Seisor of the Wards Body or Estate: but the time of the Seisin to be alledged in such cases, shall be as it was at the Common Law before the making of the said Statute.

XI. *Stat.* 21 *Jac.* 1. 2. The King, his Heirs or Successors, shall recover no concealed Manors, Lands, Tenements, Rents, Tythes or Hereditaments, (other than Liberties and Franchises and the Issues and Profits which concern the same) nor make

any Right, Claim, or Demand of, in, or to the same, by reason of any Right or Title accrued sixty Years and more, and now *in esse*; unless the King or some of his Predecessors, or some other under whom he Claims, have been answered (by force of such Right or Title) the Rents, Issues and Profits thereof within sixty Years next before the beginning of this Parliament; or that the same have been duly in Charge to the King, or Queen *Elizabeth*, or have stood in *super* of Record within the said time.

XII. This Act shall not extend to Impeach the Kings Right or Title to any Reversion or Remainder, nor to alter the Tenures or Services of Lands. And here also, the Right of all others (save of the King) is saved.

XIII. Neither shall this Act extend to annul the Custom of 2*d.* paid for every Chalder of Sea-Coals at *Newcastle* upon *Tine*.

XIV. Provided, That no putting in Charge, standing *super*, or answering the Rents or Profits of any Lands or Hereditaments, by force or colour of any Letters Patents, Grants or Concealments, or defective Titles, or of Lands, Tenements, or Hereditaments, out of Charge, or by force or colour of any Inquisitions, Presentments upon any Commission, or other Authority to find out Concealments, Defective Titles or Lands, Tenements or Hereditaments, out of Charge, shall be deemed or taken to be a putting in Charge, standing in *super*, or warning the Rents or Profits to the King or his Predecessors, unless thereupon such Lands, Tenements or Hereditaments have been upon any Information or Suit, (on the behalf of the King or his Predecessors) upon any lawful Verdict given, or Demurrer in Law, adjudged, and upon a Hearing ordered or decreed to the King or his Predecessors, within the said time of sixty Years.

XV. This Act shall not extend to Lands for which Composition is or shall be made before the end of this Parliament.

XVI. Stat. 21 Jac. 1. 16. All Writs of *Formedon* in *Descender*, *Remainder*, or *Reverter*, for any Title or Cause now *in esse*, shall be Sued within twenty Years next after this present Session of Parliament; and for any Title or Cause hereafter accruing, within twenty Years after such Title or Cause so accruing: otherwise such Title shall be for ever after Barred, and the Party Claiming utterly excluded from Entry.

XVII. None now having any Right or Title of Entry into any Manors, Lands, Tenements or Hereditaments, now held from him or them, shall thereinto enter, but within twenty Years next after the end of this Session of Parliament, or within twenty Years next after any other Title accrued: And none shall at any time hereafter make any Entry into Lands, Tenements or Hereditaments, but within twenty Years next after his
or

or their Right or Title, which shall hereafter first descend or accrue to the same.

XVIII. The Titles of any Infant, Feme-covert *Non compos mentis*, one Imprisoned, or beyond Sea, are saved, so as they commence their Suit within ten Years after such Imperfections removed.

XIX. All Actions upon the Case (other than for slander) Actions for Account, (other than such as concern Merchandize) Actions of Trespass, Debt, Detinue, Trover and Replevin, shall be commenced within three Years after this present Session of Parliament, or within six Years after the cause of such Actions or Suits, and not after.

XX. All Actions of Trespass, of Assault, Battery, Wounding, and Imprisonment, shall be commenced within one Year after this Session, or within four Years after the cause of Suit, and not after.

XXI. All Actions upon the Case for Words shall be commenced within one Year after this present Session, or within two Years after the Words spoken, and not after.

XXII. Provided, That if in any such Actions Judgment be given for the Plaintiff, and the same be Reversed by Error, or a Verdict pass for him, and upon Motion in Arrest of Judgment it is given against him, or if the Defendant be Outlawed in the Suit, and after Reverse the Outlawry: in these Cases the Plaintiff, his Heirs, Executors or Administrators, may commence a new Action within a Year after such Judgment Reversed, or given against the Plaintiff, or Outlawry so Reversed, and not after.

XXIII. The Right of Action in the Cases abovesaid is saved to an Infant, Feme-covert, *Non compos mentis*, a Person Imprisoned, or beyond Sea, so as they commence their Suit within the times above limited respectively after their Imperfections removed.

Lynn.

I. Stat. 26 H. 8. 9. An Act for the repairing of the Town of Lynn. See the Statute at large.

Linen Cloth.

*** I. Stat. 28 H. 8. 4.** No Person whatsoever shall put to Sale any piece of Doulas or Lockeram, unless the just length be expressed thereupon, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the Seisor.

*** II. Stat. 1 Eliz. 12.** None shall use any means whereby Linen Cloth shall be deceitful, or made worse for use, in pain to forfeit the same, to suffer a Months Imprisonment,

ment, and to be Fined by the Justices before whom he shall be Condemned.

III. Justices of Oyer and Terminer, and of Assise, and Justices of Peace, or any three of them (1 Qu.) have power to hear and determin these Offences.

IV. The Informer that shall at the next Sessions of the Peace, after the Seisure, to be kept in the County where such Seisure is made, or before two Justices (1 Qu.) make due Information of the Offence and Seisure, or procure the Offender to be there Indicted, and be bound by Recognizance before the said Justices to pursue the same matter with effect, and give Evidence, as of right appertaineth, and pay the one Moiety of what he recovers to the Sheriff or other Accomptant for the Queens use, shall have the other moiety for his pains.

V. The Justices before whom these Offences are tried, shall by Estreat certifie the Forfeiture into the Exchequer.

VI. Stat. 15 Car. 2. cap. 15. Any Person, Native or Foreigner, may set up in any Place whatsoever in *England* or *Wales*, Privileged or Unprivileged, Corporate or not Corporate, the Trade of Breaking, Hickling or Dressing Hemp or Flax, and of Making and Whitening Thread, and Spinning, Weaving, Making, Whitening or Bleaching Cloth made of Hemp or Flax only, and the Trade of making Twine or Nets for Fishery, or storing Cordage, or making Tapisstry Hangings.

VII. Foreigners that shall use any of the said Trades three years in *England*, *Wales*, or Town of *Berwick*, shall from thenceforth taking the Oaths of Supremacy and Allegiance before two Justices of Peace near to their Dwellings, enjoy all Privileges as natural born Subjects.

VIII. Foreigners that exercise the said Trades, shall not be liable to other Impositions than natural born Subjects, unless they Trade as Merchants to and from Foreign Parts, in which case they shall pay Aliens Custom for five years next ensuing, and no longer.

Livery and Duffer le main.

I. Stat. *De Escheatoribus* 29 E. 1. Whereby Inquests taken before the Escheator, upon the Kings Writ returned, it is found that nothing is holden of the King, the Escheator shall be immediately commanded by the Kings Writ out of the Chancery, to put from his hands the Lands so taken into the Kings hands; and if the Escheator have received any Profit thereof, he shall restore it. Howbeit, if the Kings Title may afterwards be made appear by remembrances in the Chancery, Exchequer, or elsewhere, the Lands shall be Re-seised, and the mean Profits answered to the King; and in such case *Scire facias* shall issue out against the Party to shew cause why they should not be re-seised. *Vide Artic. super Chart.*

Chart. 28 E. 1. cap. 19. to the like effect as to the *Ouster le Main*, and rendring the mean Profits, when there is no cause of Seifure.

II. *Stat. 28 Ed. 3. cap. 4.* Where the Kings Tenant, after he hath had Livery, hath been charged with Rents and other Payments become due after such Livery for part of the time (*pro rata*) hereafter the Escheator shall be charged with the casual and continual Profits which happen before the Livery (*pro rata*) according to the time, and the Tenant shall receive certain payments of Rent, &c. which happen after the Livery, without any abatement thereof (*pro rata*) for the time.

Liberies of Companies and Retainers.

* I. *Stat. 1 R. 2. 7.* None shall give Liveries for Maintenance of Quarrels or other Conspiracies, in pain of Imprisonment and grievous forfeiture to the King; and the Justices of Assise shall diligently enquire of such as gather together in Fraternities for such purposes, and shall punish them according to their Demerits.

London.

I. *Stat. De Gavelet, 10 E. 2.* The Lords of Rents in London may recover them by a Writ of *Gavelet* in their Hustings; and in default thereof, the Lands in Demesne.

II. *Stat. 28 E. 3. 10.* The Mayor, Sheriffs, and Aldermen of London shall cause Errors, Defaults and Misprisions there to be redressed, in pain to forfeit for the first Default 1000 Marks, for the second 2000 Marks, and for the third to have the Franchise and Liberty of the City seised; and their Defaults herein shall be inquired of by Inquests of *Kent, Essex, Suffex, Hertford, Buckingham* and *Berks*, as well at the Kings Suit, as of others that will complain.

III. The Mayor, Sheriffs, and Aldermen, being Indicted, shall be caused by due Process to come before the Kings Justices assigned thereunto out of the City, and there shall be made to answer as well to the King as to the Party grieved, and their Trial shall be by Foreign Inquests, as aforesaid; whereupon if they be Attainted, the said Pain shall be Levied upon them, and the Plaintiffs also shall recover treble Damages.

IV. In the Prosecution of such Suits, the Constable of the Tower or his Lieutenant shall Execute all Processes in the City, which Process shall be by Attachment, Distress and *Exigent*; and in the Kingscase the *Exigent* shall be awarded after the first *Capias* returned; but after the return of the third *Capias*, at the Suit of the Party.

V. If they have Lands out of the City, Process shall issue against them in the County where such Lands be, by Attachment and Distress.

VI. Every

VI. Every of them that appear shall answer particularly for himself, as well at the peril of him that is absent, as of himself.

VII. This Ordinance shall extend to all other Cities and Boroughs throughout the Realm. Howbeit, the Inquests in such cases shall be taken by Foreign People of the Counties wherein such Cities and Boroughs are situate: and the pains to be set upon them shall be adjudged by the Justices thereto assigned.

VIII. Stat. 1 H. 4. 15. The Penalties of 1000 and 2000 Marks (imposed by the Statute of 28 E. 3. shall not be limited to a certainty, but the Penalties shall from henceforth be left to the discretion of the Justices thereunto assigned, in like manner as it is for other Cities and Boroughs.

IX. Stat. 35 H. 8. 10. An Act for repairing, making and mending the Conduits in London.

X. Stat. 19 Car. 2. cap. 2. An Act for erecting a Judicature for determination of differences touching Houses burnt or demolished by reason of the late Fire in London. See the Act.

XI. Stat. 19 Car. 2. cap. 3. For the speedy Re-building of the City of London, and the Uniformity of the New Building, and for the prevention of outrageous Fires; the Rules and Directions following shall be observed.

XII. If any Person be Convicted by the Oaths of two Witnesses before the Lord Mayor or two Justices of Peace for the City, of building contrary thereto, the House so built shall be deemed a common Nuisance, and the Builder shall enter into a Recognisance for demolishing the same, or amending it according to the said Directions, and in default of entering into such Recognisance, shall be committed till he abate or amend the same: or else such House shall be demolished by Order of the Court of Aldermen.

XIII. The Lord Mayor Aldermen and Common Council shall appoint one or more Surveyors to see the said Rules observed: and may give them an Oath for the true Execution of their Office.

XIV. There shall be only four sorts of Buildings: the first sort of Houses fronting By-Lanes: the second fronting Streets and Lanes of Note: the third fronting high and principal Streets: the fourth of Houses for Citizens and other Persons of extraordinary Quality, not fronting either of the three former ways.

XV. The Lord Mayor, Aldermen and Common Council shall before the first of April next, declare which shall be accounted By-Lanes, which Streets or Lanes of Note, and which high and principal Streets.

XVI. The outsidcs of all Buildings in and about the City, shall be of Brick or Stone, or of Brick and Stone together, except Door-Cases and Window-Frames, the Breast, Summers,

and other parts of the first story to the Front, between the Peers which are left to the Builders discretion: but shall be discharged of the burden of the Fabrick by Archwork of Brick or Stone.

XVII. There shall be Party-Walls and Party-Peers set out equally on each Builders Ground, to be built by the first Builder, and convenient Tothing left in the Front-Wall: None shall Build on the said Party-Walls or their own contiguous Ground, till they have paid the first Builders the moiety of the Charges of such Party-Walls, with Interest at 6 per Cent. from the beginning of the first Building. Differences concerning the value of such Charges shall be referred to the Alderman of the Ward, and his Deputy: where one of them is a Party, or where they cannot compose such Difference, the Lord Mayor and Court of Aldermen shall.

XVIII. The Houses of the first sort of Building shall be two Stories high, besides Cellars and Garrets; the Cellars six Foot and a half high, if the Springs of Water hinder not, each Story nine Foot high; the Walls in Front and Reer as high as the first Story, two Bricks length in thickness, thence upwards to the Garrets one Brick and a half, the thickness of the Garret Walls on the back part not less than the length of one Brick (of the Party-Walls one Brick and half as high as the Garrets) in the Garrets one Brick at least.

XIX. The Houses of the second sort, fronting Streets and Lanes of note and the Thames, shall be three Stories high: the Cellars six foot and a half high, if the Springs of Water hinder not: the first Story ten foot high, the second the like, the third nine foot; the Walls in Front and Reer as high as the first Story, of the thickness of the length of two Bricks and a half: and upwards to the Garret Floor, of one Brick and a half the thickness of the Garret Walls, on the back part not less than the length of one Brick: the thickness of the Party-Walls two Bricks length as high as the first Story, and up to the Garrets of one Brick and a half.

XX. The Houses of the third sort shall be four Stories high: the first Story ten foot high, the second ten foot and a half, the third nine foot, the fourth eight foot and a half: the Walls in Front and Reer as high as the first Story, of the thickness of the length of two Bricks and a half: and upwards to the Garret-floor, of one Brick and a half: the thickness of the Garret-Walls not less than the length of one Brick: of the Party-Wall two Bricks length as high as the first Story, and upwards to the Garrets one Brick and a half.

XXI. The Houses of the fourth sort shall bear the same scantlings as in the Table are set down for the same, the number and height of the Stories shall be left to the Builders discretion, so as he exceeds not four Stories.

XXII. In

XXII. In the Front of Houses in high Streets there shall be Balconies four foot broad, with Rails and Bars of Iron, of equal distance from the Ground, to contain in length the third parts of the Front, the remaining vacancy to be supplied with a Pent-house of the breadth of the Balcony, covered with Lead, Slate or Tiles, Plaistered underneath: The water falling from the Houses, Balconies and Pent-houses, shall be conveyed into the Channells by Party-pipes on the sides or Fronts of the Houses: and Pavement of Flat Stone at the Builders Charge shall be made under the Balconies and Pent-houses.

XXIII. The first Floor over the Cellar in Houses of the second and third sort shall not be more than eighteen Inches above the Streets, nor less than six, with a circular step without the Building. No Trap-doors nor open Grates without the Foundations of the Fronts shall be suffered: nor Lights but what are upright. No Bunks, Jetties, Windows, Posts, Seats, &c. shall extend beyond the ancient Foundations, only in high Streets, Stall-boards, when the Shop-Windows are open, may extend eleven Inches into the Streets.

XXIV. If any Houses burnt or pulled down at the time of the late Fire are not Rebuilt within three years next ensuing, Proclamation shall be made by Act of Common-Council betwixt Twelve of the Clock and Two in the Afternoon, upon such Ground, and upon the Exchange, to cause the same to be Rebuilt within nine Months: in default whereof, the Mayor and Court of Aldermen shall issue Warrants to the Sheriffs to impanel a Jury before them, to Estimate the value of such Ground, and may sell the Inheritance, the Monies to be paid into the Chamber of London, and thence issued to them that are interested in such Ground, according to their respective Estates therein, which Sale Enrolled according to the Custom of the City shall conclude all that have Right.

XXV. In case of Combination or unreasonable Exaction by Brick-makers, Tile-makers, or Lime-burners, the Justices of the Kings-Bench, or two of them, upon Complaint of the Mayor and Court of Aldermen, calling such of the said Workmen, working within five Miles of the River of Thames, as they think fit, may upon Conference with them, if present, or otherwise in their absence, Assess the Prices of Bricks, Lime and Tiles, and of all Carriages thereof by Land and Water.

XXVI. And in case of Combination, or Exaction of unreasonable Wages by the afore-mentioned or other Artificers, Workmen or Labourers, the said Justices upon like Complaint may appoint their Wages: which Rate, together with the Prices of the said Materials and Carriages being Proclaimed, shall bind all Persons: Artificers and Workmen refusing

refusing to sell or work for the Prices and Wages so appointed, or leaving their Work unfinished, unless for non-payment of their Hire, or other Cause to be allowed by a Justice of Peace, or agreeing for greater Wages or Prices, and Convicted thereof by Oath of one Witness before a Justice of Peace, shall be Committed to the Common Goal for a Month, unless they shall pay such Fine as the said Justices shall set, not exceeding 10 *l.* out of which the Justice shall award satisfaction to the Parties injured, and pay the rest to the Chamberlain of *London* for Re-edifying the Publick Buildings of the City.

XXVII. Artificers and Workmen not free of the City, shall till the said Buildings are fully finished, enjoy such Liberties of Working as Freemen of *London* of the same Trades : and such as shall have wrought Seven years in the Re-building of *London*, shall enjoy such Liberty during their Lives.

XXVIII. Differences concerning Lights and Water courses shall be determined by the Alderman of the Ward and his Deputy : who if they be Parties, or cannot determine them, shall certify them to the Mayor and Court of Aldermen, who shall determine the same without Appeal.

XXIX. Common-Sewers, Drains, Vaults, and the order and manner of Paving and Pitching the Streets and Lanes, shall be designed and set out by such as the Mayor, Aldermen and Commonalty shall appoint under their common Seal : which Persons, or seven of them with the Surveyors or one of them, may order and direct the making of new Vaults, Drains and Sewers, or cut into, alter or cleanse any already made. To effect which, they may impose Taxes on all Houses, in proportion to the benefit they receive thereby, and Levv the same by Distress and Sale of Goods. All other Commissioners shall be suspended to intermeddle in the Premises till the said Buildings shall be fully finished.

XXX. The Lord Mayor, Aldermen and Common Council may prohibit such Trades in high Streets as they judge noisom or perilous in respect of Fire, and may remove into other Places, or contract into a lesser compass, Conduits in high Streets now standing, or hereafter to be erected ; and may enlarge in such manner as there shall be cause, with the Kings approbation the Places hereafter mentioned, *viz. Fleetstreet, &c. See the Statute at large* : and may by virtue of this Act enlarge other straight Passages within this City that are less than fourteen Foot in breadth, giving notice to the Parties interested before the first of *May* next ensuing, and may make a new Street from *Guildhall* to *Cheapside*, as wide as they think fit.

XXXI. And if the Parties interested in such Ground will not or cannot Treat and Agree for the same, The Lord Mayor
and

and Court of Aldermen shall issue Warrants to the Sheriffs of *London* to return a Jury to Assess such Recompence as they think fit: and such Verdict, and the Judgment of the Lord Mayor and Court of Aldermen thereupon, and the payment of the Money adjudged, shall be binding.

XXXII. In case of refusal or incapacity of Persons interested in such Houses as receive advantage by such Regulation and Enlargement, to agree with the Lord Mayor, Aldermen and Commons for the same, a Jury Impanelled, as aforesaid, shall Assess upon them such Sums as they think fit, to be paid to the Chamberlain of the City, who may recover the same by Action at Law, and shall be accountable according to Directions from the Lord Mayor and Court of Aldermen: the Money so raised, to be employed towards Satisfaction for such Houses and Ground as shall be converted into Streets, &c.

XXXIII. Differences concerning Grounds to be taken and disposed of by virtue of this Act, shall be determined by the Justices of the Kings Bench, and Common Pleas, and Barons of the Coif of the Exchequer, or three of them, in a summary way of proceeding, without the Formalities used in any of the said Courts.

XXXIV. The second day of *September*, unless it happen on a *Sunday*, and then the day after, shall be for ever observed as a day of Publick Fasting and Humiliation within the City and Liberties thereof.

XXXV. A Column of Brass or Stone shall be erected near to the Place where the Fire began, with such Inscription as the Mayor and Court of Aldermen shall direct.

XXXVI. The Sites and Materials of Churches not to be Re-built, are hereby vested in the Lord Mayor and Court of Aldermen, that so much of the Ground as shall not be laid into Streets, may be sold with the consent of the Archbishop of *Canterbury* and Bishop of *London*, the Money to be employed with like consent toward the Re-building of such Parish-Churches as are to be Re-built.

XXXVII. *St. Pauls* and *St. Faiths* and *St. Gregories* Churches excepted.

XXXVIII. *Thames-Street* and the Ground betwixt it and the River shall be made three foot higher.

XXXIX. No Building shall be erected, except Cranes and Sheds for present use, within forty Foot of any Key, Wall or Wharf bounding the River from *Tower-Wharf* to *London-Bridge*, nor from thence to the *Temple-Stairs*: nor any Building (Cranes excepted) within seventy Foot of the middle of *Bridewell-Dock*, *Fleet-Ditch* and *Turnmill-Brook*, from the *Thames* to *Clerkenwell*, before the 24th of *March*, 1668.

XL. The Water-house called Mr. *Thomas Morris* his Water-house, formerly adjoining to *London-Bridge*, shall be Re-built where it was, notwithstanding this Act.

XLI. *A Scheme of Proportions and Scantlings for Stories, Walls, and Timbers.*

	Division of Story.	Height of Story Foot			Bricks		Bricks
First sort of Houses.	Cellars	6 $\frac{1}{2}$		1st Floor	2		1 $\frac{1}{2}$
	1 Story	9		2d	1 $\frac{1}{2}$		1 $\frac{1}{2}$
	2 Story	9		3d	1 $\frac{1}{2}$		1 $\frac{1}{2}$
	Garrets				1		1
Second sort of Houses.	Cellars	6 $\frac{1}{2}$		1st Floor	2 $\frac{1}{2}$	Thickness of Party-Walls.	2 $\frac{1}{2}$
	1 Story	10	Thickness of Walls in Front and Reer.	2d	2		1 $\frac{1}{2}$
	2 Story	10		3d	2		1 $\frac{1}{2}$
	3 Story	9		4th	1 $\frac{1}{2}$		1 $\frac{1}{2}$
	Garrets				1		1
Third sort of Houses.	1 Story	10		1st	2 $\frac{1}{2}$		2 $\frac{1}{2}$
	2 Story	10 $\frac{1}{2}$		2d	1 $\frac{1}{2}$		1 $\frac{1}{2}$
	3 Story	9		3d	1 $\frac{1}{2}$		1 $\frac{1}{2}$
	4 Story	8 $\frac{1}{2}$		4th	1 $\frac{1}{2}$		1 $\frac{1}{2}$
	Garrets				1		1

XLII. *Scantlings of Timber for the first sort of Houses.*

For the } Summers under _____ Foot. Inches. Inches.
 Floors, } Wall-Plates _____ 15 _____ 12 _____ and _____ 8
 _____ 7 _____ and _____ 5

For the } Principal Rafters under _____ Foot } at foot _____ 8 }
 Roof, } Single Rafters _____ 15 } at top _____ 5 } 6 Inches.
 _____ 4 _____ and _____ 3 Inches.

Length. Thickness. Depth.
 Joys _____ 10 _____ 3 _____ and _____ 7 Inches
 Garret Floors _____ 3 _____ and _____ 6

XLIII. *Scant-*

XLIII. Scantlings of Timber for the other two sorts of Houses.

	Foot.	Breadth.	Depth.	Thickness.	Depth.
		Foot.	Inches.	Inches.	Inches.
Summers or Girders in length from	10—to	15—11	and—8	Joyfts which bear ten foot	3—6
	15—	18—13	—9		3—7
	18—	21—14	—10		3—7
	21—	24—16	—12		3—8
	24—	26—17	—14		3—8
		Inches.		Inches.	
Principal discharges upon Peers	13—and—12				
	In the first Story in the Fronts			15—and—13	
		Thickness.			
		Inches.			
Binding Joyfts with their Trimming	5—depth equal to				
	Joyfts			their own Floors.	
		Inches.		Inches.	
Wall-plates, or raising Pieces and Beams	10—and—6				
	8—			6	
	7—			5	
		Inches.		Inches.	
Lintels of Oak in the	1st. and 2d. Story—8—and—6				
	3d. Story—5—			4	
		Length.		Thickness	
	Foot.	Foot.		Inches.	Inches.
Principal Rafters from	15—to	18	at foot 9	7	
			at top 7		7
	18—	21	at foot 10		8
			at top 8		8
	21—	24	at foot 12		8½
			at top 9		8½
	24—	26	at foot 13		9
			at top 9		9
		Length.			
Purlins from	Foot.	Foot.		Inches.	Inches.
	15—to	18	9—8		
	18—	21	12—9		
			Foot.	Inches.	
Single Rafters	not exceeding in length—9—5—4				
	not exceeding in length—6—4—3½				

XLIV. Scantlings for Sawed Timber and Laths not less than,

	Breadth.		Thickness.
	Foot.	Inches.	Inches.
Single Quarters in length	8	3 $\frac{1}{2}$	1 $\frac{3}{4}$
Double Quarters in length	8	4	3 $\frac{1}{2}$
Sawed Joists in length	8	6	4
Laths in length	5	1	1 quart. and
	4		$\frac{1}{2}$ an Inch.

Stone.		Corner Peers —————	18 square
	First sort of Houses,	Middle or Single Peers —————	14 and 12
		Double Peers between House } and House —————	14 and 18
		Door-Jambs and Heads —————	12 and 18
Where Stone is used to keep to these Scant- lings —	2d and 3d sort of Houses.		Foot. Inches.
		Corner Peers —————	2 — 6 square
		Middle or single Peers —————	18 square
		Double Peers between } House and House —	24 and 18
		Door-Jambs and Heads —	14 and 10

Scantlings for Sewers	Foot.		Thickness.
	3 wide	5 high	
Bottom Paved Plain, and then one Brick an edge circular.	Side-walls		1 Brick and $\frac{1}{2}$
	Arch		1 Brick on end.

XLV.

General Rules.

1. In every Foundation within the Ground, add one Brick in thickness to the thickness of the Wall, (as in the Scheme) next above the Foundation, to be set off in three courses equally on both sides.

2. That no Timber be laid within 12 Inches of the fore-side of the Chimney-Jambs: And that all Joists at the Back of any Chimney be laid with a Trimmer of six Inches distance from the back.

3. That no Trimmer be laid within the Tunnel of any Chimney, on Penalty to the Workman for every Default, 10 s. and 10 s. every Week it continues unreformed.

4. That no Joists or Rafter be laid at greater distances from one another than 12 Inches, and no Quarters at greater distance than 14.

5. That

5. That no Joysts bear a longer Length than ten Foot, and no single Rasters at more in Length than nine Foot.

6. That all Roofs, Window-frames and Cellar-floors be made of Oak.

7. The Tile pins of Oak.

8. No Summers or Girders to lie over the Head of Doors and Windows.

9. No Summer or Girder to lie less than ten Inches into the Wall; no Joyst less than eight Inches, and to be lain in Lome.

XLVI. Stat. 22 Car. 2. cap. 11. The Mayor, Aldermen and Commons of the City in Common Council, may imploy such places as with his Majesties Approbation are, or shall be set out before the 10th of *March*, 1669. for Market-places, for enlargement and convenience of the *Royal Exchange*, *Guildhall*, the *Sessions-House* in the *Old-Baily*, and the common Goals.

XLVII. The Mayor, Aldermen and Commons shall agree with the Owners of Ground imployed for the convenience of those Places, and enlarging the Streets in this Act mentioned, and in case of Refusal, Disability or Incapacity, may cause a Jury to be impanelled, whose Verdict and Judgment of the Mayor, &c. with payment of the Money into the Chamberlains Office, there to remain six Months, and after that, if no Controversie arise by reason of different Claims made thereunto, to be paid to the Owners upon Demand, shall be Conclusive. And if any Controversie arise concerning the same, as not equally and indifferently apportion'd according to the Value of the Parties Interests, the Justices of the *Kings Bench*, and *Common-Pleas*, and Barons of the Coif of the *Exchequer*, or any three of them, may hear and determine it within three Months after the Verdict.

XLVIII. Copartners, Joynt-Tenants and Tenants in common, or others having several Rooms in one House, if some will build and others not, they that will may build and enjoy solely till they are reimbursed what the others ought to have contributed, with Interest at the Rate of 6 per cent. from the covering of the House: And in case of refusal by the space of two Years, paying or tendring what the Interest of the others is worth, may hold such House against the Parties refusing. Differences about Charge of Building, or Value of the Estate, shall be determined by the Surveyors of the City or two of them, or if the Parties refuse to submit to their determination, by the Mayor and Court of Aldermen, without Appeal.

XLIX. Differences arising between several Owners of any House or Houses which may obstruct the making of the Party-walls entire and upright, shall be determined in like manner.

L. The Mayor, Aldermen and Commons may enlarge the way of *Holbourn-Bridge*, so as it may run in a Bevil Line from a House called the *Cock* to the *Swan Inn*.

LI. Corner-Peers of Stone or Brick to be erected shall be of the Dimensions of the Peers of Stone mentioned in the former Act. Builders of Corner-houses may use Oak-Timber in stead of the Corner-Peers of Brick or Stone, of such Dimensions as the Surveyors of the City shall direct.

LII. Water from the tops of Houses fronting Streets, Lanes or Passages, shall be conveyed into the Channells by Pipes and Party-pipes.

LIII. The Streets or Passages from *Cheap-side* through *Soper-Lane* to *Thames-Street*, and thence to the River, and from the *Three Cranes* to the River, shall remain as they now are: And the Marks for Raising or Sinking any Streets, as they are or shall be before the 29th of *September*, 1671. shall be observed.

LIV. The Surveyors with as little variation as may be, shall alter the said Marks, so as Buildings erected before the 14th of *May*, 1668. may receive as little Damage as may be: Owners upon their refusal or being agrieved by their determination, may Petition the Mayor and Court of Aldermen, whose determination shall be final.

LV. No Builders shall lay Foundations till the Surveyors have viewed the same, and seen the Party-walls and Peers equally set out: Before which Survey taken, the Builders shall go to the Chamberlain and enter their Names, and the Places where their Buildings are to be, and pay 6s. 8d. taking an Acquittance for the same, upon shewing which to the Surveyors or any of them, they shall survey and set out the Foundations within three Days after such Request. Builders that have laid Foundations since the former Act, shall pay to the Chamberlain 6s. 8d. for every Foundation, in default whereof, he may Sue for it before the Mayor and Aldermen.

LVI. Persons concerned to give obedience to the determination of the Alderman of the Ward, &c. by the former Act, or to the Mayor and Court of Aldermen by this Act, shall obey the same, under the Penalties that may be inflicted for any irregularly-built House.

LVII. Differences concerning misplacing, straitning or stopping up common or private Entries, Alleys, Ways, Stairs and other Easements, shall be determined as differences concerning placing and stopping Lights and Water-courses, are appointed to be determined by the former Act, and under the Penalties for non-obedience that may be inflicted on irregular Builders. And all obstructions to Lights, Water-courses, Gutters, Alleys, Entries, Stairs, &c. may by Order of the Mayor and Aldermen be abated.

LVIII. Such

LVIII. Such Rates shall be taken and no other for Wharfage and Cranage, as shall be Assessed by his Majesty, a Table whereof shall be hanged up at every Wharf, on pain to Forfeit 10 l. for every Offence with full Costs of Suit to the Party grieved.

LIX. The Act for erecting a Judicature revived with additional powers, and to remain in Force till the 29th of September, 1671.

LX. The term of forty years shall not be added to any Estate for Life, or term of Years, so as to make the whole exceed sixty Years by any future Decree.

LXI. Where no Complaint or Request shall be exhibited before the said Judges and Barons before the 29th of September, 1670. the Landlords or Proprietors may re-enter and avoid the Interest of the Tenants in possession, and other mean Tenants, and build.

LXII. Where Termors have omitted to rebuild, and their Landlords or their Assignees have built or begun to build, the Leases of such Termors shall be void: But the Judges may make them such Recompence as they think fit.

LXIII. Leases and Counterparts thereof shall be executed according to their Decrees, and shall be good in Law, any Law, Statute or Inability notwithstanding. Present and additional Terms may be conjoined in one Lease.

LXIV. The said Justices and Barons may decree Leases against Infants and their Trustees, upon Petition of the Father, Mother, or next of Kin to them, not exceeding fifty one Years, to such as will undertake the rebuilding of such Houses, upon such Terms as the said Justices or Barons or three of them shall think fit, such Infants when they come of Age, and in case of their Death, their Heirs, Executors, &c. shall execute such Leases, and the Tenants the Counterparts.

LXV. Such Decrees shall bind Issues in Tail, and Remaindermen and Reversioners.

LXVI. Persons decreed to build, and building accordingly, shall enjoy their Estates according to the Decree, notwithstanding any other Interest in Law or Equity or Incumbrance whatsoever.

LXVII. Persons decreed to pay Money may be Sued for the same in any Court of Record at *Westminster* or *London*, and give the Decree in Evidence: Persons decreed to do any Act, shall be liable to an Action upon the Case for non-performance, or may be enforced to perform the same by a Bill in Equity.

LXVIII. The said Judges and Barons may hear and determine all Differences arising about Houses in *London* consumed by Fire within three Years before the late dreadful Fire, in like manner as they may any matter herein mentioned.

LXIX. The

LXIX. The said Judges and Barons or three of them may determine all Differences arising by reason of enlarging several Streets, and making the new Streets called *Kings-street* leading from *Guild-hall* into *Cheapside*, and *Queens-street* leading from *Soper-lane* to the *Thames*, &c.

LXX. There shall be paid for all Coals imported into the Port of the City of *London*, after the 1st of *May* 1670. and before the 24th of *June* 1677. 2 s. per Chaldron over and above the former Imposition, and after the 24th of *June* 1677. till the 29th of *September* 1687. 3 s. per Chaldron: To be Collected and Levied as by the former Act is limited: And all powers, directions and provisions in the former Act relating to the Duty of 12 d. per Chaldron imposed thereby, shall be in Force, and be exercised for the Collecting and Levying the Duties aforesaid: The Monies so to be received, to be paid into the Chamber of *London*, and from thence issued according to the appointment of this Act, viz. three fourth Parts of what shall be raised after the first of *May* 1670. and before the 24th of *June* 1677. shall be employed toward the rebuilding of Parish-Churches, according to Order from the Archbishop of *Canterbury*, the Bishop of *London*, and the Lord Mayor of *London* for the time being, or any two of them, by Warrant under their Hands and Seals: and the other fourth Part for giving satisfaction for Grounds set out for enlarging Streets, making Wharfs, Market-places, and other publick Uses in this and the former Act mentioned: And one Moiety of Monies which shall be raised after the 24th of *June* 1677. for the Re-building, &c. of Parish-Churches by Warrant, as aforesaid, and the other Moiety for giving Satisfaction for Ground set out and employed, as aforesaid.

LXXI. 10 s. out of every 100 l. shall be defalked for the use of the City, in lieu of the Trouble and Charges attending the Receipt and Payment thereof.

LXXII. One fourth Part of the Money appointed for building Parish-Churches may be employed towards the building the Cathedral Church of *St. Paul*.

LXXIII. The Archbishop of *Canterbury*, Bishop of *London*, and Lord Mayor for the time being, may engage the Profits arising by the said Impositions, and appointed for building Churches, to any Persons that will advance Money upon that Security: The Money borrowed to be employed accordingly; and may assign such proportions of Monies out of the said Impositions, to such as will secure the advancement of present Money for building their Parish-Churches. And the Mayor, Commonalty, and Citizens of *London* may engage the residue of the Profits arising by the said Impositions, as security for Money taken up for that purpose, and may assign

sign any sum or sums to be paid of course to any whose Grounds shall be taken, as aforesaid. *Vide postea, Sect. 124.*

LXXIV. There shall be left a Key or open Wharf from *London-Bridge* to the *Temple*, forty Foot broad; and in order thereunto, all Buildings, Sheds, &c. within forty Foot Northward of the *Thames*, shall within eight Months ensuing be taken down and removed, and the Buildings to front the said Key shall be of the second or third Rate of Buildings, observing Uniformity as in other Streets. *See more in the Statute at large.*

LXXV. *Bridewell-Dock* shall be made Navigable from the *Thames* to *Holborn-Bridge*: And the Ground set out for the breadth of the Chanel and of the Wharfs on each side shall not be less in breadth than 100 Foot, nor exceed 120, the line of the Chanel, and the Wharfs and Levels thereof, together with the Cranes and Stairs to be placed thereon, shall be ascertained by the Lord Mayor and Court of Aldermen, with the Kings Approbation, and set out by Surveyors before the first of *May* next: The charge to be defrayed by the Mayor, Commonalty and Citizens of *London* out of the fourth Part of the Imposition upon Coals. For giving Satisfaction for Ground employed, as aforesaid, or impaired, and raising of Money upon such as are meliorated, the authorities and forms of proceedings in the former Act ordained in like cases, shall be observed. The return of the Key about *White-Friers-Dock* shall not exceed the breadth of twenty Foot.

LXXVI. No Houses built upon the Site of any House burnt or demolished shall be liable to any incumbrance by any matter before the Fire, besides what the value of the Ground unbuilt would extend to satisfy, unless such incumbrances as were contracted by the now owners.

LXXVII. If any Persons lawfully possessed and esteemed Owners of Ground for the space of twenty one Years, shall grant Leases upon valuable Ground-Rents, so to be esteemed by the Mayor and Aldermen or three of them, though such Lands be recovered from the Grantor, the Leases shall be good, the Builders paying the Ground-Rents only to the right Owners.

LXXVIII. The Water-house near *Broken-wharf* may be built with Timber. No continuance of the said restraint from building shall extend to the Water-house at *London-Bridge*. Proprietors of Ground may leave old Foundations unbuilt to make new Streets or Passages, or enlarge old ones, paving and amending the same within convenient time after their building.

LXXIX. The Mayor and Court of Aldermen may cause a Street to be opened fourteen Foot wide, from the West end of *Thread-needle-Street* down to *Lothbury*, if the Proprietors do

do it not before the 24th of *June* next, making allowanees, as by the former Act for opening of Streets is directed.

LXXX. The remainder of *Bury-street* in *Beevis-Marks*, yet unbuilt, may be built after the Model of the other new Building in the same Street.

LXXXI. All Ground taken out of the Streets and Lanes shall be united to the Houses, the Owners thereof giving Satisfaction for such Ground according to the usual Rates.

LXXXII. The Mayor, Commonalty and Citizens of *London* shall have a Market three or four Days of the Week upon the Ground now set out by the Dean and Chapter of *St. Paul, London*, within *Newgate*: the Dean and Chapter shall make Leases thereof to the City, and of the Wall of the Church-yard about upon *Pater-Noster-Row* and the *Old-Change*, for forty years, at 4*l.* yearly Rent for the Market-place, and 2*d.* for every superficial foot of the soil of the Wall: And so from forty years to forty years, for ever: One years Rent to be paid by way of Fine: No building shall be erected on the Market-place other than the Market-house already built, without consent of the Dean and Chapter.

LXXXIII. The number of Parishes to be settled, and of Parish-Churches to be rebuilt shall be Fifty one, in lieu of those that are Burnt and Demolished. For their Names, see the Act at large, as also for their Dimensions and Method of Building their Unions, Rates and Charges.

LXXXIV. This Act shall not deprive the present Incumbents now in possession of any the Churches not to be rebuilt of the Profits thereunto belonging, so long as they assist in serving the Cure and other Offices according to the Ordinaries direction in the Church whereto their Parishes shall be united. Saving to the King the First-Fruits and Tenths of such Churches, consolidated, as aforesaid, and saving the Rights of Strangers.

LXXXV. The Warden and Minor Canons of *St. Pauls* shall enjoy the Duties arising within *St. Gregories* Parish, as before this Act.

LXXXVI. The Sites of the Parish-Church impropriate of *St. Mary Cole Church* are hereby settled upon the Wardens and Commonalty of the *Mercers* Company, who shall pay to the Lord Mayor and Aldermen of *London* for the same, such sum of Money towards the Rebuilding of the Church whereunto the same is by this Act appointed to be united, as shall be agreed on or assessed by a Jury, as in other cases by the former Act is appointed.

LXXXVII. Incumbents Indemnified as to Rebuilding their Chancels, Parsonage and Vicarage-houses, and from the payment of all First-Fruits, Tenths, and Pensions due to the King, and all other Dues whatsoever till they receive the

Profits

Profits as formerly. Ministers presented since the Fire indemnified for not reading the Thirty Nine Articles, or not doing other things enjoyn'd by Law, till the Churches are made fit for Publick Worship.

LXXXVIII. Parsons and Vicars may let their Glebe-Lands with consent of Patron and Ordinary for any Term not exceeding Forty years, at such Rent without Fine as can be obtained: no Lapse incurr'd since the Fire shall make void any Presentation made since by the Patron, whereupon the Incumbent is Inducted.

LXXXIX. If the Mayor, Commonalty and Citizens are concern'd as Parties in any Difference, whereof the Determination is by this Act referr'd to the Mayor and Court of Aldermen, the Justices of the Kings Bench, Common Pleas, or Barons of the Exchequer of the Coiff shall finally determine it.

XC. A Postern shall be made on either side *Ludgate*; for which purpose the Gate may be enlarged.

XCI. The Mayor, Aldermen and Common-Council shall not proceed to sell any Ground for not building on it before the 24th of *March*, 1671. and any Person may leave part of the ancient Foundation unbuilt to make a Court, Yard or Gardens backwards.

XCII. Tenants in Tail, Tenants for Life, Lives, or Years determinable upon Lives, may Demise Ground of burned Houses without Fines, at the most improved yearly Rent to such as will Build, for any Term not exceeding 50 years.

XCIII. His Majesty and his Privy Council shall determine all Differences touching *Serjeants-Inn* in *Fleet-street*: and may Decree a Lease to be made thereof not exceeding 60 years, to the use of the Society of the Judges and Serjeants at Law.

XCIV. The said Justices and Barons, or Three of them, may determine all Differences arising between Landlords and Tenants concerning the Houses blown up or pulled down for safeguard of the Tower, as if they had perished by the late Fire.

XCV. Defendants in Actions for any thing done in Execution of this or the former Act, may Plead the General Issue, and give the Acts in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be Non-suit, or Discontinue after the Defendant hath appeared, the Defendant shall have double Costs.

XCVI. This Act shall not make void any thing done by virtue of any Commissions granted by his Majesty, his Heirs or Successors in pursuance of two Acts of Parliament, one in the First year of Queen *Elizabeth*, and another in the Fourteenth of the present King, or of any Right or Law whereby his Majesty, &c.

may appoint Wharfs and Keys, and declare the Bounds and Privileges of the Port of London, &c.

XCVII. Stat. 22 & 23 Car. 2. cap. 14. An Act for determination of Differences touching Houses burnt or demolished within Four years since the late dreadful Fire in London. See the Statute at large.

XCVIII. Enacted likewise, that the Mayor, Aldermen and Common-Council of the City of London, shall not sell any Ground whereon any House stood at the time of the late dreadful Fire, for not building thereon, before the 29th of September, 1672.

XCIX. The Master and Chaplains of the Savoy may Demise the Brothers Lodgings there for any Term not exceeding Forty years, under such yearly Rents as they can procure, without Renewing.

C. Stat. 22 & 23 Car. 2. cap. 15. The Annual Tythes of Parishes in London, whose Churches were demolished or consumed by the late Fire, and which remain single, or are united, shall be as follows, viz.

	l.	s.	d.
The Parish of <i>Alballows Lombard-street</i> —	110	00	00
<i>St. Bartholomew Exchange</i> —	100	00	00
<i>St. Bridget, alias Brides</i> —	120	00	00
<i>St. Bennet Fink</i> —	100	00	00
<i>St. Michael Crooked-lane</i> —	100	00	00
<i>St. Christopher</i> —	120	00	00
<i>St. Dionis Back Church</i> —	120	00	00
<i>St. Dunstan in the East</i> —	200	00	00
<i>St. James Garlick-Hythe</i> —	100	00	00
<i>St. Michael Cornhill</i> —	140	00	00
<i>St. Michael Bassingshaw</i> —	132	11	00
<i>Sr. Margaret Lothbury</i> —	100	00	00
<i>St. Mary Aldermanbury</i> —	150	00	00
<i>St. Martin Ludgate</i> —	160	00	00
<i>St. Peter Cornhill</i> —	110	00	00
<i>St. Stephen Coleman street</i> —	110	00	00
<i>St. Sepulchres</i> —	200	00	00
<i>Alballows Bread-street and St. John the Evangelist</i> —	140	00	00
<i>Alballows the Great and Alballows the Less</i> —	200	00	00
<i>St. Alban Wood street and St. Olaves Silver-street</i> —	170	00	00
<i>St. Anne and Agnes and St. John Zachary</i> —	140	00	00
<i>St. Austin and St. Faith</i> —	172	00	00
<i>St. Andrew Wardrobe and Sr. Ann Black fryars</i> —	140	00	00
<i>St. Antholin and St. John Baptist</i> —	120	00	00
<i>Sr. Bennet Grace-Church and St. Leonard East-cheap</i> —	140	00	00
<i>St. Bennet Pauls-Wharf and St. Peter Pauls-Wharf</i> —	100	00	00
<i>Christs Church and St. Leonard Foster-lane</i> —	200	00	00
<i>St. Edmund the King and St. Nicholas Acons</i> —	180	00	00
St. George			

	l.	s.	d.
St. George Botolph-lane and St. Botolph Billingsgate	180	00	00
St. Lawrence Jury and St. Magdalen Milkstreet	120	00	00
St. Magnus and St. Margaret New-Fish-street	170	00	00
St. Michael Royal and St. Martin Vintry	140	00	00
St. Matthew Friday-street and St. Peter Cheap	150	00	00
St. Margaret Pattons and St. Gabriel Fenchurch	120	00	00
St. Mary at Hill and St. Andrew Hubbard	200	00	00
St. Mary Woolnoth and St. Mary Woolchurch	160	00	00
St. Clement East-cheap and St. Martin Orgars	140	00	00
St. Mary Abchurch and St. Lawrence Pountney	120	00	00
St. Mary Aldermary and St. Thomas Apostles	150	00	00
St. Mary le Bow, St. Petras Soper-lane, and Al- ballows Honey-lane	200	00	00
St. Mildred Poultry and St. Mary Colechurch	170	00	00
St. Michael Wood-street and St. Mary Staining	100	00	00
St. Mildred Bread-street and St. Margaret Moses	130	00	00
St. Michael Queen-Hythe and Trinity	160	00	00
St. Magdalen Old Fish-street and St. Gregory	120	00	00
St. Mary Somerset and St. Mary Mountbaw	110	00	00
St. Nicholas Coleabby and St. Nicholas Olaves	130	00	00
St. Olave Jewry and St. Martin Ironmonger-lane	120	00	00
St. Stephen Walbrook and St. Bennet Sherehog	100	00	00
St. Swithin and St. Mary Bothaw	140	00	00
St. Vedast, alias Fosters, and St. Michael Quern	160	00	00

The Sums to be the annual Maintenance (besides Glebes and Perquisites, Gifts or Bequests) of the respective Parsons, Vicars and Curates.

CI. Aldermen or their Deputies, and Common-Council-men of the several Wards, with the Churchwardens, and one or more Parishioners of the respective Parishes, to be nominated by such Alderman, Deputy, Common-Council-men, and Churchwardens, or any five of them, whereof the Alderman or his Deputy to be one, shall before the 30th of May, 1671. Assess upon all Hereditaments whatsoever, except Parsonage and Vicarage Houses, the respective Sums, or so much of them as is more than what each Impropiator is by this Act enjoyned to allow, the said Assessments to be finished before the 24th of July then next ensuing.

CII. Persons agrieved by such Assessment may complain to the Mayor and Court of Aldermen within Fourteen days after notice thereof, who Summoning the Parties agrieved, and those that made the Assessment, may determin the same in a Summary way without Appeal.

CIII. Assessments made by virtue of this Act may be reviewed and altered within Three months after the 24th of June, 1674. according to the aforesaid Rules, and again within Three months

after the 24th of *June*, 1681. every such new Assessment to be liable to the like Appeals, as aforesaid.

CIV. If the said Alderman, Deputy, &c. after Summons and Request by the Mayor and Court of Aldermen, or Incumbents of the said Parishes, shall neglect to make such Assessments, Persons authorized and required by the said Alderman, Deputy, &c. may do the same.

CV. The Assessors within Ten days after such Assessments made, and the respective Appeals, if any be, determined, shall make three Transcripts thereof in Parchment, and subscribe the same, one of which shall within Twenty days after such Subscriptions be returned to the Lord Mayor of *London*, to be kept among the Records of the City; another into the Registry of the Lord Bishop of *London*, and the other shall remain in the Vestry of such respective Parish.

CVI. The Sums so Assessed shall be paid at the Four usual Feasts, or within Fourteen days after each, by equal Payments: the Payments to begin from such time as the Incumbents shall begin to Officiate in the respective Parish Church, or some Place to be nominated by the Bishop of *London*, or the Archbishop of *Canterbury* within his Peculiars.

CVII. The Impropriators of any of the said Parishes shall allow what they ought to do before the Fire, such Allowance to be esteemed part of the Incumbents Maintenance.

CVIII. Upon refusal of Inhabitants to pay the Sums hereby appointed to be paid, upon demand made at the Premises whereout the same is payable, the Lord Mayor of *London*, upon Oath of such refusal, may grant Warrants for the Collector, with assistance of a Constable, to Levy the same by Distress and Sale of the Parties Goods, restoring the Overplus.

CIX. If the Lord Mayor and Court of Aldermen shall neglect to execute the Powers hereby granted, the Lord Chancellor or Keeper of the Great Seal, or two Barons of the Exchequer, may by Warrants under their Hands and Seals, do what the Lord Mayor, &c. ought to have done.

CX. Where the Parishes have become vacant since the Fire, the surviving Incumbents of Parishes therewith consolidated, shall have like remedy for the Tythes hereby settled, as if actually presented, &c. into both Parishes since the Union.

CXI. No Court or Judge shall hold Plea of Money due by virtue of this Act, other than the Persons hereby authorized.

CXII. The Warden and Minor Canons of *St. Pauls* may receive the Duties arising within the Parish of *St. Gregory*, as heretofore.

CXIII. Stat.

CXIII. Stat. 22 & 23 Car. 2. cap. 17. A Clause in a late Act of this present Parliament, Intituled, *An Act for the Rebuilding of the City of London*, wherein was Enacted, That the Numbers and Places for Common Sewers, Drains and Vaults, and the manner of Paving and Pitching Streets and Lanes in the said City and Liberties, should be set out by Persons appointed by the Mayor, Aldermen and Common-Council, or seven of them, together with the Surveyors, or one of them, within their Precincts respectively, which Persons, or seven of them, were empowered to impose Taxes upon Houses, in proportion to the Benefit they receive thereby, and to Levy the same by Distress and Sale of Goods; and all other Commissioners forbidden to intermeddle in the Premises for the Space of seven years, and till the intended Building should be finished; is hereby made perpetual, together with the Powers thereby given and appointed to be executed.

CXIV. The sole Powers of Regulating, the Keeping clear, Pitching and Paving the Streets, &c. with the manner thereof, and of Making and Cleansing Drains and Sewers, shall remain in the Mayor, Commonalty and Citizens, to be executed by such as the Mayor, Aldermen and Commons in Common-Council shall appoint, or seven of them, being all Members of the said Court.

CXV. Persons imployed in any the said Works, enjoyned to observe the Directions of the Persons in that behalf authorized.

CXVI. Offenders may be proceeded against at the next Sessions of the Peace for the said City and Liberties, unless they submit to the Censure of the Persons in that behalf authorized, and pay the Mulct by them imposed to the Chamber of *London*, to be imployed toward the Works in this Act mentioned.

CXVII. The Persons so authorized may impose Taxes upon the several Wards and Precincts, and direct Precepts to the respective Deputies and Common-Councilmen to Assess the same in manner following; and like Precepts to Scavengers to Collect the same.

CXVIII. Where any Church or Church-yard shall Front any Street, &c. they may Assess a reasonable proportion upon the Parish, to be paid by the Churchwardens: of which Assessments the Deputies and Common-Councilmen shall return Duplicates with the Scavengers Names, within Twenty days after receipt of the Precepts, in default of the said Deputies and Common-Council, the said Persons to be authorized may rate the said Assessments: in default of payment within Six days after demand, the Scavengers may Levy the same by Distress and Sale of Goods, &c.

CXIX. The Money so Collected to be paid into the Chamber of *London*, not to be issued thence but by Order of the said Persons so to be appointed, or seven of them.

CXX. Inhabitants agrieved through defect or decay of Pavements, or want of cleansing the Streets, &c. shall upon proof that such Grievance is unreformed, receive Directions from the Persons so to be Authorized, or seven of them, for redressing the same, and a Warrant to the Chamberlain of *London*, to issue Monies for defraying the Charge thereof, together with any Sum for encouragement of their Diligence, not exceeding 10 s.

CXXI. The Mayor, Aldermen and Commons in Common-Council may set out and purchase Ground for Laystalls and Places for publick Stores, for receipt of Dirt and Rubbish carried out of the City, and for other Materials and Commodities: the Money for the same to be paid out of the Monies arising by the Imposition upon Coals appointed for publick Uses of the City, other than the Money appointed for building Churches.

CXXII. Persons agrieved by any Charge imposed by virtue of this Act, within Five days after demand thereof may appeal to the Mayor and Court of Aldermen, whose Order therein shall be final.

CXXIII. No Persons by this Act made liable to be Rated towards the Altering, Mending or Cleansing the said Vaults, Sewers, or Cleansing, &c. Streets, Lanes, &c. shall after the First of *May*, 1671. be otherwise charged or liable thereunto. *Person acting in pursuance of this Act may Plead General Issue*, per Stat. 2 W. & M. Sess. 2. cap. 8.

CXXIV. Stat. 1 Jac. 2. cap. 15. For Enabling the Lord Archbishop of *Canterbury*, the Lord Bishop of *London*, and the Lord Mayor of *London* for the time being, to finish the Cathedral of *St. Pauls*, There should be paid for all Coals which after the 29th of *September*, 1687. and before the 29th of *September*, 1700. shall be Imported into the Port of *London* or the River of *Thames*, within the Liberty of the said City, upon the River, besides all other Duties, according to these Rates, viz. For all Coals or Culm sold by the Chaldron, 18 d. per Chaldron, and for Coals sold by the Tun, 18 d. per Tun: which Imposition shall be paid to the said Lord Archbishop, Lord Bishop, and Lord Mayor for the time being, or any two of them, or their Deputies appointed under Seal, before breaking of Bulk, or before a Meter be assigned, and at such Place or Places as they or any two of them shall appoint: upon the Payment a Receipt shall be given without Fee.

CXXV. The Coal-Meters, so soon as any Vessel freight with Coals, shall be unladen, shall certifie in Writing to the Deputy or Deputies of the said Lord Archbishop, &c. the

Sorts,

forts, quantities, or number of Chaldrons or Tuns of Coals, on pain to be suspended from their Office and Benefit thereof one whole year, and to forfeit Ten pounds. And if it shall appear by such Certificate or otherwise, that there was on board any such Vessel a greater number of Chaldrons or Tuns than for which the Imposition shall have been paid; in such case there shall be paid to the said Lord Archbishop, &c. for every Chaldron or Tun concealed, over and above the said Imposition, the further Sum of Five shillings, for all which Impositions the Vessels, their Tackle or Furniture may be attached and detained till payment.

CXXVI. Provided, That if the Importer shall within 24 hours after such Certificate, give in his Post-Entry and pay the whole Duty, upon such Payment the Penalty shall be discharged.

CXXVII. The said Lord Archbishop, &c. may by Warrant appoint Officers to go on board all Vessels laden with Coals, and to inspect the Coal-Meters in their Work, and to certify as directed by the Warrant.

CXXVIII. There shall be kept by the said Lord Archbishop, &c. or their Deputies, one or more Book or Books of Parchment, in which all Monies to be received upon the Imposition aforesaid, shall be Entred: and other like Book or Books, wherein the Accounts of all Disbursements shall be Entred, expressing the Time, Occasion and Persons to whom paid, and Persons in any wise concerned shall have free access to the said Books, when the Office is open, without Fee. And the said Lord Archbishop, &c. shall before the end of *Michaelmas*-Term in every year after 1687. transmit into the Receipt of the Exchequer, an Abstract of the said Books of Accounts, containing the Receipts and Disbursements in the year preceeding, and ending on the 24th of *June* next before, there to be received *gratis*, and kept amongst the Records of that Court; where any Persons concerned may have access to and view the same without Fee, &c.

CXXIX. The Money to be raised by virtue of this Act shall be disposed towards the Finishing and Adorning the said Cathedral, according to such direction as the said Lord Archbishop, Lord Bishop, and Lord Mayor, or any two of them, shall give: and shall be paid to such Persons as they by Warrant under Seal shall appoint.

CXXX. Any part of the said Monies, not exceeding 4 *d.* in the Pound, may be disposed of to such Person or Persons as shall from time to time be appointed to be Treasurer or Treasurers, Pay-masters, Book-keepers, &c.

CXXXI. The said Lord Archbishop, &c. may by Indenture engage the Profit arising out of the said Impositions, as a Security for Money by them to be borrowed for the Purposes of this Act.

CXXXII. In any Action brought for any thing committed or done by virtue of this Act, the Defendant may Plead the General Issue (Not guilty) and give this Act and the special Matter in Evidence; and if a Verdict pass for the Defendant, or the Plaintiff be Non-suit, or discontinue after Appearance, the Defendant shall recover double Costs.

CXXXIII. All Monies to be received upon the said Imposition shall be paid to such Person or Persons as the said Lord Archbishop, &c. shall appoint under Seal, he or they giving Security to the Dean and Chapter of *St. Pauls*, for the repayment thereof. The Security to be approved under the Hands of the Lord Chancellor or Keeper, the two Chief Justices, and Chief Baron of the Exchequer, or any two of them.

CXXXIV. The said Lord Archbishop, &c. may by Warrant appropriate such part of the Imposition granted by this Act, as shall in their Discretions seem sufficient for compleating such Parochial Churches in *London* as may happen to remain unfinished at the Expiration of the Act made *Anno 22 Car. 2.* so as the same do not exceed one fifth part of the said Imposition.

CXXXV. This Act shall not extend to charge a certain yearly Allowance of One hundred Chaldrons of Coals which are to be answered and delivered by the Mayor and Burgessees of *Newcastle* upon *Tine*, for the use of *Chelsey*-Hospital; the said Mayor and Burgessees giving notice to the said Archbishop, &c. of the intended delivery of such Coals Three days at least before the delivery thereof.

Lords.

I. Stat. 31 H. 8. 10. A Direction how Lords and other great Officers are to be placed in Parliament. See the Statute at large.



Mainprizal and Bail.

I. Marlbz. A Lheit a Clerk, being upon an Offence against the 52 H. 3. 27. A Crown (after Arrest) let to Bail or Replevied by the Kings Command, will not, or cannot (by reason of his Clerks Office) make answer before the Justices; yet shall not those who let him to Bail, or his Sureties be Amerced, so as he appears before the Justices.

II. West.

II. *West. 1. 15. 3 E. 1.* Forasmuch as before this time it hath not been determined what Persons are Repleviabie, and what not, save only such as be taken for the death of a Man, or by the Command of the King or his Justices, or for the Forest; it is now provided, That Persons Outlawed, and such as have abjured the Realm, Provers, and such as be taken with the manner, Prison-breakers, Thieves openly defamed and known, Appellees by Provers (during the Life of such Provers) House-burners, Counterfeiters of the Kings Seal or Coin, Excommunicate Persons, manifest Offenders and Traitors, are not Repleviabie by common Writ, or without Writ.

III. Persons guilty of Larceny by Inquests taken before Sheriffs or Bailiffs, or of petty Larceny, not before detected, or accessory to any Felony, or only guilty of some light Suspicion, are Bailable by good Sureties, for which the Sheriff shall be answerable.

IV. If any Sheriff or other, having the Custody of a Prison, set any at large by Surety who is not Repleviabie, and be thereof Attainted, he shall lose his Fee and Office for ever: and if any Under-Officer doth it, he shall suffer three Months Imprisonment, and make Fine at the Kings Will.

V. If any withhold Prisoners Repleviabie, after they have tendred sufficient Surety, he shall be grievously Amerced; and if he take any Reward for the Deliverance of such, he shall pay double to the Prisoner, and be also grievously Amerced.

VI. *Stat. 3 H. 7. 3.* Two Justices (1. *Quor.*) have power to let to Bail Persons Bailable by Law, until the next Quarter Sessions or Goal-delivery, and shall there certifie the same, in pain of Ten Pound.

VII. The Sheriff, and all others having the Custody of Goals, shall certifie the Names of all Prisoners in their Custody, to the Justices of Goal-delivery, at their General Goal-delivery, in pain to Forfeit for every such Default, Five Pound.

VIII. The Statute of 1 R. 3. 3. which gave power to one Justice of Peace, to Bail Prisoners, is Repealed.

IX. *Stat. 1, 2 P. M. 13.* None shall be let to Bail, which are forbidden to be Bailed by 3 E. 1. 15.

X. None Arrested for Man-slaughter or Felony (or Suspicion thereof, being Bailable by Law) shall be let to Bail, save only in open Sessions, or by two Justices (1. *Quor.*) being both present at the time of such Bailment, which shall be certified (together with the Examination of the Prisoner, and the Information of the Accusers) under their own Hands, at the next Goal-delivery; and

and such Examination and Information shall be taken before the Bailment.

XI. The said Justices have power to bind by Recognisance all such as can declare any thing material against the Prisoner, to appear at the Goal-delivery, and shall there make Certificate of the said Recognisance.

XII. The Justices that offend any Branch of this Act, are liable to be Fined by the Justices of Goal-delivery.

XIII. This Act shall not restrain Justices within *London* and *Middlesex* to let to Bail Prisoners, as heretofore they have used; only they shall certify their Examinations, Bonds and Bailments, at the next Goal-delivery of their Jurisdiction, in pain to be Fined, as aforesaid.

XIV. Every *Habeas Corpus* or *Certiorari* for the removing of a Prisoner, shall be Signed by the Chief Justice, or one of the Justices of the Court out of which the Writ issues, in pain of 5*l.* to be forfeited by the Writer.

XV. Stat. 2 & 3 P. & M. 10. One accused of Manslaughter or Felony, who, for want of Bail, is to be sent to the Goal, must be Examined by the Justice before he sends him thither, and the Accusers must be bound over to give in Evidence against him, whose Information must also be taken and committed to Writing within two Days after at farthest, and all certified in at the next Goal-delivery, as by the Statute of 1 & 2 P. & M. 13. is limited, upon the Penalty therein expressed.

XVI. Stat. 2. 13 Car. 2. cap. 2. None Arrested by Process out of the Kings Bench or Common Pleas, in which Process the true Cause of Action is not expressed, and for which the Defendant isailable by 23 H. 6. cap. 10. shall be forced to enter into Bond with Sureties for Appearance in any Sum exceeding 40*l.* which Bond, after Appearance entred by Attorney, shall be Discharged, and after that, no Amerciaments shall be set upon any Officer or other Person concerning such Appearance; and unless the Plaintiff put in his Bill or Declaration before the end of the next Term, a Non-suit may be Entred, and the Defendant shall have Judgment for Costs, according to 23 H. 8. cap. 15. This Act shall not extend to Writs of *Cap. Utlagatum*, Attachments upon Rescous, Attachment of Privilege, or any Attachment of Contempt.

Maintenance.

* 1. West. 1. 28. 3 E. 1. No Clerk of the King, or of any Justice, shall receive the Presentment of any Church for which there is Debate in the Kings Court, without the Kings special Licence, in pain to lose the Church and his Service: And no Clerk

Clerk of any Justice or Sheriff shall take part in any Suits or use Fraud, whereby common Right may be delayed, in pain to be punished, as aforesaid, and more grievously, if the Trespas require it.

II. Stat. 1 E. 3. Parl. 2. 14. None shall maintain Quarrels and Parties in the Country, to the Let and Disturbance of the Common Law.

III. Stat. 20 E. 3. 4. None shall maintain any Quarrels save their own, in pain to have their Body, Lands and Goods to be at the Kings pleasure.

IV. Stat. 1 R. 2. 4. No great Officer of the King shall maintain Quarrels in the County, in pain of a Fine to be imposed by the King and his Council; and no other Person, in pain of Imprisonment, and to be Fined at the Kings Will: and if he be the Kings Officer, or Household-Servant, he shall also lose his Office.

V. Stat. 7 R. 2. 15. The Statutes of 1 E. 3. Parl. 2. 14. 4 E. 3. 11. (*which see in Nisi prius*) 1 R. 2. 4. and 1 R. 2. 9. (*which see in Feoffments*) made against Maintenance and Champerty, shall be duly put in Execution.

* VI. Stat. 32 H. 8. 9. All Statutes which concern Maintenance, Champerty and Embracery, shall be duly put in Execution.

VII. None shall buy any pretended Right or Title to any Land, unless the Seller hath taken the Profits thereof one whole Year next before such Bargain, in pain that both the Buyer and Seller shall each of them forfeit the value of the same Land, to be divided betwixt the King and the Prosecutor.

VIII. None shall unlawfully maintain any Suit or Action, retain any Person for Maintenance, embrace Jurors, or suborn Witnesses, to the hindrance of Justice, or procurement of Perjury, in pain to forfeit for every such Offence 10*l.* to be divided betwixt the King and the Prosecutor.

IX. Howbeit, purchasing of a pretended Title by him that is already lawfully possessed of the thing whereunto Title is made, is lawful.

X. Proclamations shall be made at the Assises of the Statutes made against Maintenance, Champerty, Embracery, and unlawful Retainers.

XI. The Offenders against this Act shall be prosecuted within one Year.

Malt.

I. Stat. 17 R. 2. 4. Malt made in the Counties of *Huntingdon, Cambridge, Northampton, and Bedford*, and brought to

to London for the Provision of the Court and City, shall be well cleansed from Dust and other Filth: and Mayors, Bailiffs, and Wardens of Towns and Places where it is sold, have power to make search, and to see Defaults redressed.

* II. Stat. 2 & 3 E. 6. 10. None shall employ less time in the making and drying of Malt, except in the Months of *June, July* and *August*, than three Weeks; nor in those Months less than seventeen Days; nor put to Sale any Malt mingled of good and bad; in pain to forfeit for every Quarter so put to sale, 2 s. to be divided betwixt the King and the Prosecutor.

III. None shall put any Malt to Sale before (by treading, rubbing and fanning it) he shall have conveniently taken out of every Quarter half a Peck of Dust or more, in pain to forfeit 20 d. for every Quarter otherwise sold, to be divided betwixt the King and the Prosecutor.

IV. Justices of Peace in Sessions, and Stewards in Leets, have power to hear and determine these Offences, as well by Presentment of twelve Men, as by Information of two Witnesses.

V. Bailiffs and Constables of Towns and Places where faulty Malt is made and mingled, as aforesaid, have power to make search for it, and being found (with the Advice of a Justice of Peace) to make Sale thereof at their Discretions.

VI. None shall be punished by this Act who only maketh Malt for his own Provision, nor unless the Action be prosecuted within one Year.

VII. Stat. 39 Eliz. 16. Intituled, *An Act to Restrain the Excessive making of Malt, Repealed* per Stat. 9 & 10 W. 3.

VIII. Stat. 3 Jac. 1. 11. When Malt is at 16 s. the Quarter, Beer may be Transported unto the Kings Allies in Cask: and the Impost shall be 8 s. and 6 d. and the Custom 18 d. for a Subject, but for a Stranger 10 s. and 22 d. half penny.

IX. This Act shall not infringe the Statute of 35 Eliz. 11. 1 Jac. 1. 25. or any other Statute made for the bringing in of Clapboard, Cask, or Scaffold-board.

Merchants, Merchandize.

I. Magna Charta, 30. 9 H. 3. Merchant-strangers shall have safe Conduct of coming into, going out of, and remaining in *England*, to buy and sell, without being exacted upon by excessive Tolls, except in time of War, if they be of our Enemies Country: and albeit they be so, yet so long as

our Merchants be used well there, they shall have the like usage here.

II. Stat. 9 E. 3. 1. Merchant-strangers may freely buy and sell within the Realm without Disturbance, except they be Alien Enemies.

III. If any Disturbance or Abuse be offered them or any other Merchant in a Corporation, and the Head Officer there do not (upon request) provide remedy, the Franchise shall be seized into the Kings Hand, and the Disturber (being thereof Attainted) shall answer double Damages to the Party grieved, suffer one Years Imprisonment, and be Ransomed at the Kings Will.

IV. If the Disturbance be out of the Franchise, and the Lord there, or his Bailiff, Constable or Chief Ruler, do not (upon request) provide remedy, he shall (being Attainted thereof) render double Damages to the Party grieved, and the Disturber (being also thereof Attainted) shall also suffer one whole Years Imprisonment, and be Ransomed at the Kings Will.

V. Howbeit, Merchant-Aliens shall carry no Wines out of this Realm.

VI. This Law shall be strictly observed throughout the Realm, notwithstanding any Charter, Franchise or Custom to the contrary, saving to the King his due Customs.

VII. The Chancellor, Treasurer, Justices Assigned by Commission to hold Pleas, and others, by special Commission from the King, shall have power to hear and determine these Misdemeanors.

VIII. Stat. 14 E. 3. Stat. 2. 2. All Merchants (except Enemies) may safely come into *England* with their Goods and Merchandize, tarry and return, paying the Customs and Subsidies.

IX. Franchises and free Customs reasonably granted to Cities, Towns and Boroughs, are saved.

X. Stat. 25 E. 3. Stat. 4. 2. The Statute of 9 E. 3. 1. is Confirmed, and all Statutes, Charters, Letters Patents, Proclamations, Commandments, Usages, Allowances and Judgments to the contrary, are Repealed and made void.

XI. All Merchants may freely sell their Commodities without Challenge or Impeachment of any Officer or other, notwithstanding any Franchise, Grant or Custom to the contrary.

XII. The King may assign Justices to enquire of such as offend this Law, and to inflict Punishment upon them, according to the said Statute of 9 E. 3.

XIII. Any that will Sue against any Offender, may have a Writ out of the Chancery for that purpose.

XIV. Stat.

XIV. Stat. Stapul. 27 E. 3. Stat. 2. 2. A safe Conduct is granted to Merchant-strangers (except Alien Enemies) to come and dwell in this Realm, and to return when they please; as also to sell their Commodities, without having them taken from them against their Will upon any colour whatsoever.

XV. If any Officer or other offend against this Law, he shall be Arrested by the Head Officer of the Place, if it be out of the Staple; and if within the Staple, then by the Mayor and Ministers of the Staple; and shall be speedily proceeded against according to the Staple Law, and not at Common Law; and being Attainted thereof, shall answer double Damages to the Party grieved, and as much to the King.

XVI. All Commissions made or to be made to take such Prices of Merchants shall be void.

XVII. Stat. 27 E. 3. Stat. 2. 3. All Merchants may buy Merchandise of the Staple, so as they bring them to the Staple.

XVIII. It shall be Felony for an *English, Welsh, or Irishman*, to Transport Wooll, Leather Wooll-fells, or Lead.

XIX. No *English, Welsh, or Irishman* shall Transport Wooll, Leather, Wooll-fells or Lead in a Strangers name, or keep a Servant beyond Sea to survey the Sale thereof, or to receive Money there for the same.

XX. There shall be no Exchange of Wares for Merchandise of the Staple, but payment in Gold, Silver, or *English, Welsh, or Irish* Merchandise; neither shall any Merchants make any Confederacy in Fraud or Deceit of this Ordinance: and all this upon the pains aforesaid.

XXI. Every Man may carry his own Wooll, Leather, Wooll-fells and Lead to the Staple to sell them there; howbeit he shall then warrant the packing of his Woolls.

XXII. Stat. 27 E. 3. Stat. 2. 11. All Merchants may freely sell their Merchandise at the Staple by gross or by retail without Challenge or Impeachment; but it shall be Felony to forestall, buy, or give earnest for any Merchandise before they come to the Staple or Port, or to enter the Ship for that purpose.

XXIII. Stat. 27 E. 3. Stat. 2. 13. If a Merchant lose his Goods at Sea by Piracy or Tempest, (not being wreck) and they afterwards come to Land, if he can make proof that they are his Goods, they shall be restored to him in places guildable by the Kings Officers and six Men of the Country, and in other places by the Lords there or their Officers and six Men of the Country.

XXIV. Stat. 27 E. 3. Stat. 2. 17. No Merchant shall be impleaded for anothers Trespas and Debt, whereof he is
2 not

not Debtor, Pledge, nor Mainpernor : Howbeit, if any of this Realm indamaged by Foreign Lords or their Subjects have not Right done them, Letters of Mart shall be granted to Repair them.

XXV. If any difference arise betwixt the King and any other Foreign Lord who hath Merchants here his Subjects, those Merchants shall have (by Proclamation) forty Days given them to depart ; and if (for some just Cause) they cannot go so soon, they shall have longer time given them, until they may conveniently depart ; and shall in the mean time sell their Merchandize, if they can.

XXVI. Stat. 27 E. 3. Stat. 2. 26. Merchant-strangers upon Letters of Credence, or their Oath, shall be believed concerning the Content of their Merchandize, and shall pay 3 *d. per libr.* according to the Content so testified ; and their Goods shall be thereupon immediately delivered unto them, without unsealing or opening them, according to the Charter granted them by E. 1. and confirmed by this King : and all this in pain that the Officer herein offending shall suffer Imprisonment, pay quadruple Damages unto the Party grieved, and as much to the King. And here the Remedy shall be in *Chancery*.

XXVII. Stat. 38 E. 3. 2. Any Merchant may use more Merchandize than one, notwithstanding the Statute of 37 E. 3. 5. and may buy, sell, and transport all kind of Merchandize, paying the Customs and Subsidies due for the same, Wooll and Wooll-fells only excepted.

XXVIII. Stat. 2 R. 2. 1. Merchant-strangers (not Enemies) may buy and sell all things vendible within the Realm in Gross or by Retail, except Wines and great Wares, as Cloth of Gold and Silver, Silk, Sandal, Napery Cloth, Canvas, and the like ; which are to be sold in Gross by whole pieces, in pain of Forfeiture thereof.

XXIX. Here the Privileges of Prelates and Lords for Purveyances, and the things provided for by the *Statute of the Staple of Calais*, are saved.

XXX. Merchants may buy and sell in Fairs and Markets in Gross or by Retail, notwithstanding this Statute.

XXXI. Disturbers of Merchants against this Act (being thereof Attainted) shall render double Damage, suffer a Years Imprisonment, and be ransomed at the Kings Will.

XXXII. If Right be not done to the Party grieved in a Franchise, it shall be seized into the Kings Hands ; if out of a Franchise, the Lord or his Officer shall render to the Party grieved double Damages.

XXXIII. The Chancellor, Treasurer, Justices assigned to hold Pleas, and Justices assigned by special Commission, shall hear and determin these Offences.

XXXIV. Stat.

XXXIV. Stat. 5 R. 2. Stat. 2. 1. Merchant-strangers may come into this Realm, continue here, and depart at their pleasure, without Disturbance or Impeachment of any, and shall be friendly entertained and intreated of all.

XXXV. Stat. 11 R. 2. 7. The Statutes of 9 E. 3. 1. and 25 E. 3. Stat. 4. 2. are confirmed, notwithstanding any Charter, Proclamation, Custom, &c. to the contrary.

XXXVI. Stat. 14 R. 2. 9. Merchant-strangers shall be courteously intreated, to the end they may be thereby the rather encouraged to come into this Kingdom.

XXXVII. Stat. 16 R. 2. 1. No Merchant-stranger shall buy or sell within the Realm with another Merchant-stranger to sell again; nor sell any Merchandize by Retail but Victuals: only Wine he shall sell by whole Vessels.

XXXVIII. The Statutes of 9 E. 3. 1. 25 E. 3. Stat. 4. 2. and 11 R. 2. 7. are Confirmed.

XXXIX. Stat. 20 R. 2. 4. The Statute of 28 E. 3. 1. (*which see in Staple*) is Confirmed, notwithstanding any Ordinance or Usage to the contrary.

XL. Stat. 4 H. 4. 15. Merchants shall not Export the Money which they receive for Merchandize Imported, but shall bestow it upon Merchandize of this Realm, their reasonable Costs excepted.

XLI. Stat. 5 H. 4. 7. Merchant-strangers shall be used in this Realm as Merchant-denizens be in other Countries; in pain that such Merchant-strangers shall forfeit their Goods, and suffer Imprisonment.

XLII. Stat. 5 H. 4. 9. Merchant-strangers shall give Security to the Kings Customers and Controulers to employ their Money upon the Commodities of this Realm, their reasonable Costs excepted.

XLIII. The Statute of 4 H. 4. 15. is Confirmed.

XLIV. Merchant-strangers shall sell their Commodities within a quarter of a Year next after their Arrival, and imploy the Money received by Exchange upon Commodities of this Realm, in pain to forfeit the same Money.

XLV. No Merchant-stranger shall sell any Merchandize to another Merchant-stranger, in pain to forfeit the same.

XLVI. The Head Officer or Officer of the Port where a Merchant-stranger shall arrive, shall assign him an Host, with whom he shall reside, and the Host shall take for his pains as hath been accustomed.

XLVII. Stat. 6 H. 4. 4. The Clause of the Statute of 5 H. 4. 9. enjoining Merchant-strangers to sell their Commodities within a quarter of a Year next after their Arrival, is Repealed, saving the Liberties of London.

XLVIII. Mer-

XLVIII. Merchant-strangers shall not export any Merchandize Imported by Merchant-strangers.

XLIX. Stat. 7 H. 4. 9. All Merchandize may be sold in Gross in London, as well to all the Kings People as to the Citizens of London, notwithstanding any Franchise or Liberty to the contrary.

L. Stat. 4 H. 5. 5. The Statute of 3 H. 4. 7. and 3 H. 4. 9. touching the using of Merchant-strangers are confirmed.

LI. Stat. 8 H. 6. 24. No Merchant-Alien shall constrain any of the Kings Subjects to pay him his Debt in Gold, nor refuse to receive payment thereof in Silver, in pain to forfeit the double value thereof.

LII. No Englishman shall sell his Goods to a Merchant-Alien but for present payment in Money, or for other Merchandize to be presently delivered, in pain to forfeit the same.

LIII. Stat. 3 E. 4. 4. Certain Wares and Merchandize which it is not lawful to bring into this Realm ready wrought, being things made by Handy-craft-men. See the Statute at large.

LIV. Such Wares taken upon the Sea, or coming ashore by Wreck, and such as are wrought in Ireland or Wales, are excepted.

LV. Chief Officers of Cities, Towns, &c. shall have Authority to make search for Wares of that kind which are defective. But here St. Martins le Grand is excepted. *Howbeit this Statute was to stand in force but during the Kings will, and therefore Quare whether it be now in force.*

LVI. Stat. 17 E. 4. 1. *pars inde.* Every Merchant-Alien or other Stranger shall imploy the Money by them received here, upon the Merchandize of this Realm, or else (without fraud) put the same Money in due payment within this Realm, to be proved by the Merchant unto whom it is so imployed, or otherwise before the Customer, Comptroller, or Head Officer or Officers of the Place where it is so imployed; in pain to Forfeit all his Goods found within this Realm, and to suffer a years Imprisonment: only his reasonable Costs are to be deducted.

LVII. The Forfeiture to be divided betwixt the King and the Prosecutor.

LVIII. Stat. 1 R. 3. 9. *Italian* Merchants shall sell their Merchandize at the Port where they Land in Gross, and not by Retail, in pain to Forfeit the value thereof.

LIX. They shall also sell their Commodities brought thither within eight months after their arrival, and shall within that time imploy the Money received for the same upon *English* Commodities (their reasonable Expences deducted) and not make over the Money by Exchange: and if within that time they cannot make off their Wares, they shall within two Months after the eight Months (or as soon as they can) convey them out of the Realm: in pain to Forfeit the Money so made over by Exchange, and the Merchandize sold after the eight Months, and not conveyed away, as aforesaid, or the value thereof.

LX. They may transport their Merchandize from one Port to another, so as they sell them within the said eight Months.

LXI. No Merchant-stranger shall be Host to another Merchant-stranger, unless they be of the same Nation, in pain of 40 l.

LXII. No such *Italian* Merchant shall buy and sell any Wooll or Woollen Cloth within this Realm, neither shall they make any Woollen Cloth, or deliver Wooll to that end, in pain to Forfeit the value thereof.

LXIII. Stat. 1 R. 3. 12. No Merchant-stranger shall Import into this Realm to be sold, any Girdles, Harness wrought for Girdles, Points, Leather-laces, Purfes, Pouches, Pins, Gloves, Knives, Hangers, Tailors Sheers, Scissors, Andirons, Cobbards, Tongs, Fire-locks, Gridirons, Stock-locks, Keys, Hinges, and Garnets, Spurs, painted Glasses, painted Paper, painted Forcers, painted Images, painted Cloths, beaten Gold or Silver wrought in Papers for Painters, Saddles, Saddle-trees, Horse-harnesse, Boots, Bits, Stirrups, Bucklers, Chains, Latten Nails with iron shanks, Turnets, hanging Candlesticks, Holy-water pots, Chafing-dishes, hanging Lavers, Curtain-rings, Cards for Wooll, Roan-cards (except Clasps for Garments) Sheers, Buckles for Shoes, Spits, Bells, Hawks Bells, tin and leaden Spoons, Wire of Latten and Iron, Iron Candlesticks, Grates, Horns for Lanthorns, or any of the said Wares ready made and wrought, in pain to Forfeit the same, or the value thereof, to be divided betwixt the King and the Prosecutor.

LXIV. Stat. 3 H. 7. 8. The Statute of 17 E. 4. 1. is confirmed and made perpetual.

LXV. Merchants of *Ireland*, *Jersey* and *Guernsey* are made liable to the same Law upon the like pains.

LXVI. Customers and Comptrollers shall take security of Merchant-strangers to observe the said Law.

LXVII. Stat. 12 H. 7. 6. Every *Englishman*, being the Kings true Liege-man, may freely Trade at the Marts in *Flanders*, *Holland*, *Zealand*, *Brabant*, and other of the Archduke of *Burgoin*s Countries, without any Exaction, Fines, or other Contribution whatsoever, to be levied of him by the Fellowship of Merchants in *London*, or by any other for their use: or by any other such Fraternity, ten Marks only excepted; and none shall in such case take or levy upon any Person any such Exaction more than the said ten Marks, in pain to forfeit 20 l. to the King, and ten times so much as they shall take more than the ten Marks aforesaid, to be recovered by Action of Debt, &c.

LXVIII. Stat. 1 El. 11. None shall lade or unlade into or out of any Ship or other Vessel any Goods, Wares or Merchandize whatsoever, Fish taken by *Englishmen* only excepted, and unless it be upon a Leak or Wreck, to be Imported or Exported, but only in the day time; viz. from the first of *March* until the last of *Septemb.* betwixt Sun-rising and Sun-set, and from the last of *September* to the first of *March* between the hours of seven and four;
and

and that in such Places as the Queen shall (by Commission) before the first of *September* next assign for that purpose: in pain to Forfeit the Goods, Wares or Merchandize otherwise laden or unladen, or the value thereof.

LXIX. The Places so to be assigned shall be at *London, Southampton, Bristol, Westchester, Newcastle,* and in all other Places (*Hull* only excepted) where there is a Customer, Comptroller and Searcher.

LXX. The Owner, Master or other having the Charge of any Ship or other Vessel, which doth offend against this Law, shall Forfeit *5 l.*

LXXI. The Master, or other having the Charge of the Vessel, shall acquaint the Customer or other Officer with the times of his Lading and Departure, as also what Persons are to have Lading with him, and shall answer such Questions concerning his Lading as shall be demanded of him by such Officer upon Oath, or otherwise; and all this in pain of *100 l.* The like shall be observed when he Imports any Merchandize, *vice versa*, and upon the like pain.

LXXII. None shall Enter any Goods in the Customers Books but in the right Owners Name, in pain to Forfeit the value thereof.

LXXIII. If any Officer of the Custom-house conceal any Offence committed against this Act, and disclose is not within a Month unto the chief Officer there, or unto the Lord Treasurer, Chancellor, Under-Treasurer, or one of the Barons of the Exchequer, or unto the Attorney General, he shall Forfeit *100 l.*

LXXIV. Customers, Comptrollers and Searchers have power to make Deputies in Ports, Creeks and Roads; and both they and their Deputies shall duly and faithfully execute their Offices, in pain of *100 l.* and to lose their Places.

LXXV. Such Custom shall be paid for Sweet Wines as hath formerly been paid for Malmseys.

LXXVI. This Act shall not infringe the Liberties granted to the Isle of *Anglesey*, and the Counties of *Flint* and *Carnarvon*, so as they pay the due Customs and Subsidies, and Lade and Discharge within the times and hours above-mentioned.

LXXVII. Stat. 43 *El.* 12. The Lord Chancellor or Keeper shall award a standing Commission (to be renewed yearly, or as often as to him shall seem meet) for the hearing and determining of all such Causes arising, and Policies of Assurances as shall be Entred in the Office of Assurance in *London*.

LXXVIII. This Commission shall be directed to the Judge of the Admiralty, the Recorder of *London*, two Doctors of the Civil Law, two Common Lawyers, and eight grave and discreet Merchants, or to any five of them; which Commissioners, or the greater part of them, shall have power to hear and examine, order and decree all such Causes in a brief and summary course, as to their discretion shall seem meet, without formality of Pleadings or Proceedings.

LXXIX. The Commissioners have also power to summon the Parties, examine Witnesses upon Oath, and commit to Prison such as contemn or disobey their Orders or Decrees. They shall meet and sit once a Week at the least in the Office of Assurance, or some other convenient publick place, for the execution of the said Commission: and no Fees shall be there exacted by any Person whatsoever.

LXXX. If any be grieved by their Sentence or Decree he may exhibit his Bill in Chancery for the re-examination thereof, so as he first satisfie the Sentence so awarded, or depostre with the Commissioners the Sum awarded; and then (albeit he be imprisoned) he may be enlarged. And here the Lord Chancellor (or Keeper) hath power to reverse or affirm every such Sentence or Decree; and in case it be affirmed, to award the Party assured double Costs.

LXXXI. No Commissioner shall meddle in the Execution of this Commission in any cause wherein himself is Party, *Affurer* or *Affured*, nor until he hath taken his Corporal Oath before the Mayor and Court of Aldermen to proceed uprightly and indifferently between Party and Party; only the Judge of the Admiralty and Recorder are excused from such Oath.

LXXXII. Stat. 3 Jac. 1. 6. All the Kings Subjects shall have free Trade into and from *Spain*, *Portugal*, and *France*, notwithstanding the late Grant of an Incorporation to prohibit the same, or any other Act or thing whatsoever to the contrary.

LXXXIII. Provided, that this Act shall not give liberty for any Person to go beyond Sea, who by Law is restrained from going without Licence.

LXXXIV. Stat. 3 Jac. 1. 9. No Merchant or other shall dress or cause to be dressed in his House, or by any Workman (being no Skinner) appointed by him for that purpose, any black Cony-skins of this Realm, nor Transport any such, or pack them to be Transported, before they be tawed and duly wrought by such as are Artizan-Skinners or Tawers under them, in pain to Forfeit them, or the value thereof.

LXXXV. No Merchant shall buy or contract for any Cony-skins or Lamb-skins, under the number of 1000 black Cony-skins, 3000 gray Cony-skins, and 2000 Lamb-skins, at one and the same time, to be so bought and delivered intirely together, and not by parcels; except they be bought of the Artizan-Skinners: neither shall the Merchant sell them again in less parcels than as aforesaid (unless to the said Artizan-Skinners) in pain to Forfeit the same, or the value thereof.

LXXXVI. None shall retain any Servant, Journeyman or Apprentice to work in the Trade of a Skinner, unless he himself hath served seven years as an Apprentice in the same Trade, in pain to Forfeit the double value of his ware so wrought.

LXXXVII. The

LXXXVII. The Forfeitures aforesaid are to be divided betwixt the King and Seisor or Prosecutor.

LXXXVIII. Stat. 4 Jac. 1. 9. The general Statute of 3 Jac. 1. 6. neither doth nor shall dissolve or impeach the Charter of Incorporation granted by Queen Eliz. to certain Merchants of Exeter, and their Successors.

LXXXIX. Stat. 12 Car. 2 cap. 4. It shall be lawful to Transport Iron, Armour, Bandeliers, Bridle-bits, Halbert-heads and Sharps, Holsters, Muskets, Carbines, Fowling-pieces, Pistols, Pike-Heads, Sword or Rapier-blades, Saddles, Snaffles, Stirrups, Calveskins dressed or undressed, Geldings, Oxen, Sheep-skins dressed without the Wooll, and all Manufactures made of Leather; Gunpowder, when it doth not exceed the price of five Pound the Barrel; Wheat, Rye, Pease, Beans, Barley, Malt, and Oats, Beef, Pork, Bacon, Butter, Cheese, and Candles, when they do not exceed at the Port from whence they are Laden, these Prices, viz. Wheat the Quarter 40 s. Rye, Beans and Pease 24 s. Barley and Malt the Quarter 20 s. Oats, 16 s. Beef, 5 l. the Barrel, Pork, 6 l. 10 s. Bacon, the pound 6 d. Butter, the Barrel, 4 l. 10 s. Cheese the hundred, 1 l. 10 s. Candles, the dozen pound 5 s. paying the Rates appointed by this Act (viz. *The Act of Tonnage and Poundage*, quod vide Tit. Customs) and no more.

XC. The King by Proclamation may Prohibit the Transportation of Gunpowder, or any Ammunition. *Confirmed* 13 Car. 2. cap. 7.

XCI. Stat. 13 & 14 Car. 2. cap. 13. None shall sell or offer to sale, export or import Foreign Bonelace, Cutwork, Imbroidery, Fringe, Bandstrings, Buttons or Needlework of Thread or Silk, on pain to Forfeit for selling or offering to sale as aforesaid, 50 l. and the Goods themselves, and for Importing, 100 l. and the Goods Imported, the one moiety to the King, the other to him that will sue in Court of Record.

XCII. Justices of Peace upon Information given, may issue Warrants to Constables to search for such Manufactures in Shops, being open, Warehouses and Dwellinghouses, and to seise them.

XCIII. Informations and Suits upon this Law must be commenced within twelve Months after discovery.

XCIV. Hair Buttons prohibited, and Justices power to extend to seise them, *per Stat. 4 & 5 W. & M. Sess. 4 cap. 10. This Act Repealed as to Foreign Lace made of Thread in the Spanish Low-Countries or elsewhere, not within the Dominions of the French King*, per. 5 An. Cap. 17, See Washington Tit. Trade, Sect 339.

XCV. Stat. 13 & 14 Car. 2. cap. 19. No Foreign Wooll-cards, Card-wire or Iron-wire for Wooll-cards shall be Imported, nor Card-wire taken out of old Cards put into new Leather, and new Card-boards, nor Wooll-Cards made thereof be put to sale, on pain to Forfeit all the said Wares, or the value if not seised, one half to the King, the other to him that will sue in any Court

of Record at *Westminster*, or within the County, City or Town Corporate where the Offence shall be committed.

XCVI. Owners of Wooll-Cards may amend them for their own use, or transport or sell (for transportation only) old over-worn Wooll-Cards.

XCVII. Stat. 13 & 14 Car. 2. cap. 23. The Commissioners for determining Causes upon Policies of Assurance Entred within the Office of Assurance of *London*, or three of them, whereof a Doctor of the Civil Law, or Barrister of Law of five years standing, to be one, may proceed as five might have done; and in case of wilful delay of Witnesses upon the first Summons, and tender of Charges, and of Parties upon the second Summons, may punish the Offenders by Imprisonment or Costs. Every such Commissioner may proceed, having taken an Oath before the Lord Mayor of *London* only, to proceed uprightly.

XCVIII. Commissions shall issue out of the Admiralty, returnable before the said Commissioners, to examine Witnesses beyond Sea, or in any remote Parts of the Kings Dominions; the Commissioners, or three of them, may pass Sentence and Execution against the Body and Goods, and against the Executors, &c. or the Party Evicted, and Assess Costs of Suit.

XCIX. Any one Commissioner may administer an Oath to a Witness, notice being given to the adverse Party, and set up in the Office, that such Witness may be cross examined.

C. The Commissioners shall not proceed against Body and Goods for the same Debt.

Marthalsea.

I. Artic. super Chart. 3. 28 E. 1. The Stewards and Marshals of the Kings House shall not hold Plea of Freehold, Debt, Covenant or Contract, but only of Trespass done in the House or Verge, or of Contracts and Covenants when both Parties are of the House: and the Plea of Trespass shall be determined before the King's departure from the Verge where the Trespass was committed; and therefore the Plea thereof shall be speedy, *de die in diem*: and if the Plea cannot be determined in time, the Plaintiff shall (in such case) have recourse to the Common Law.

II. The Steward shall from henceforth take no consufance of Debt or other things, but of the People of the same House, nor shall hold Plea by Obligation made at the Distress of the said Stewards or Marshals: And if any thing be done contrary to this Act, it shall be holden void.

III. In case of death within the Verge where the Coroner is to make view, the Coroner of the County, together with the King's Coroner shall do his Office, and Enrol it: and what cannot be determined by the Steward before the King's departure, shall be remitted to the Common Law; so that Exigents, Outlawries and Presentments shall be made thereupon in Eyre by the Coroner of the

the County, as in case of other Felonies done out of the Verge. Howbeit they shall not omit by reason hereof to make Attachments freshly upon the Felonies done.

IV. Stat. 5 E. 3. 2. *pars inde* : and 10 E. 3. Stat. 2. 2. Inquests before the Steward and Marshal of the King's House shall be taken by Men of the Country thereabouts and not by Men of the King's House ; except it be in Contracts, Covenants or Trespases, when both Parties are of the same House, and in the House.

V. Stat. 9 R. 2. 5. Priests and others of the Holy Church taken in the Marshalsea, shall pay such Fees as Lay People pay, and no more.

VI. Stat. 13 R. 2. Stat. 1. 3. The Jurisdiction of the Steward and Marshal of the King's House shall extend no farther than twelve Miles from the King's Lodging.

VII. Stat. 2 H. 4. 23. The Fees of the Marshal of the King's House shall be as in times past, and no more : viz. for him that cometh in by *Capias*, 4 *d.* and if he be Bailed, 2 *d.* more; of the Defendant in Trespass that findeth Bail to answer the Suit, 2 *d.* for every Commitment by Judgment, 4 *d.* for every one delivered of Felony, and of a Felon Bailed by the Court, 4 *d.* And if the Marshal or his Officers take more, they shall lose their Offices, and pay treble Damages to the Party grieved, and the Party grieved shall have his Suit before the Steward of the same Court.

VIII. Here a server of Bills shall take no more than 1 *d.* for every Mile distant from the Court to the Place where he doth his Office ; but when he serves a *Venire facias* or a *Distringas*, he shall have the double. If such an Officer takes more, he shall be Imprisoned, make a Fine to the King at the discretion of the Steward, and be from thenceforth forejudged the Court.

IX. Stat. 15 H. 6. 1. In a Suit commenced before the Steward and Marshal of the King's House, the Defendant shall not be estopped to Plead that the Plaintiff or he are not of the King's House ; but his averment thereof shall be received, notwithstanding any Record of the same Court to be produced to the contrary.

Marshes, Fens, &c.

I. Stat. 4 Jac. 1. 8. An Act for winning from Inundation the drowned Grounds and Marshes of *Lesnefs* and *Fants* in *Kent* by the 10th of October 1609. See the Statute.

II. Stat. 4 Jac. 1. 13. Another for draining the Fens and low Grounds in the Isle of *Ely*, containing about 6000 Acres, compassed about with Banks, called the Ring of *Waldersley* and *Coldham*. See also the Statute.

III. Stat. 7 Jac. 1. 20. A mean to recover a great quantity of Ground lately surrounded in *Norfolk* and *Suffolk* by the Sea, and to prevent the like for the future. See the Statute.

IV. Stat. 15 Car. 2. cap. 17. *William Earl of Bedford*, Son and Heir of *Francis Earl of Bedford*, and the Adventurers and Participants of them, or either of them, shall be a Body Politick, and shall consist of one Governor, six Bailiffs, twenty Conservators and Commonalty, the said *William Earl of Bedford* to be the first Governor, and shall be capable to purchase Lands, not exceeding two hundred Pounds *per annum*, and Goods and Chattels, and may lay Taxes from time to time upon the 95000 Acres only, which *Francis* late Earl of *Bedford* was to have for his Recompence of effecting that difficult Work of Draining the great Level of the *Fens*, for the preservation of the said great Level, and may Levy the same with Penalties for non-payment, not exceeding a third part of the Tax.

V. The said Governor, Bailiffs and Conservators aforesaid, or five of them, whereof the said Governor or Bailiffs, or any of them, to be two, are hereby Constituted Commissioners for Sewers for the said great Level: and may act or proceed by one or more Juries of Men inhabiting within any part within the Boundaries of the said great Level, as if the said great Level lay in one County only; first taking the Oath which Commissioners of Sewers are by Law to take, which Oath the said Governor or Bailiffs, or any of them may Administer.

VI. Every Writ, Bill, Declaration, Information, &c. concerning any part of the Grounds within the said Level, or any Trespass, &c. done within the same, and Proceedings thereupon, shall be good, though the Place be not rightly named, so as there be such other certainty whereby the same may be known.

VII. No other Commissioners of Sewers shall intermeddle within the said great Level, otherwise than in this Act shall be Provided.

VIII. All Conveyances by Indenture of the said 95000 Acres, or any part thereof, entred with the Register to be appointed by the said Corporation, shall be of equal force as if they were by Indenture for valuable consideration of Money inrolled within six Months in one of the Courts of Record at *Westminster*, and no Lease or Conveyance of, or Charge upon the same, except Leases for seven years or under in possession, shall be of force but from the time it shall be so Entred; the Entry wherof being Endorsed by the Register upon such Conveyance, &c. shall be Evidence at Law.

IX. For the Levying such Taxes and Penalties as shall be in arrear upon the respective Parts and Proportions of the said 95000 Acres, the said Governor, Bailiffs, &c. shall on *Wednesday* and *Thursday* in *Whitsunweek*, or either of them yearly at the Shire-house in *Ely*, have power to sell so much, as the said Governor, Bailiffs, &c. shall judge sufficient to raise Taxes and Penalties, by Writing under the Seal of the Corporation.

X. Provided

X. Provided that by colour of such Sale, Tenants at Will or by Lease indented upon improved Rent shall not be removed, till they have taken off their Crop, paying a proportionable Rent; Tenants by Lease may continue out their Terms, paying a proportionable Rent to the Purchaser. No such Sale shall be made for any Tax or Penalty not in arrear four Months next before the Sale.

XI. Publick notice shall be given of Lands for which any Tax or Penalty shall be in arrear, by affixing a Schedule at the Shire-house or Market-place in *Ely*, under the Seal of the Corporation, containing such Lands with the Owners Names, entred upon the Tax Roll.

XII. The said Corporation may erect new Works within or without the said great Level, to convey the Waters thereof by convenient outfalls to the Sea. They that cut or throw down any of the said Works, shall answer treble Damages to the Corporation and Costs of Suit in an Action of Trespas: And such acting, &c. if maliciously done, shall be punished as for cutting the Powdyke in *Marshland*.

XIII. The Governor before he take upon him that Office, shall take an Oath before any of the Bailiffs, that he will well and truly execute it. The Bailiffs, Conservators and other Officers shall take the like Oath for the true executing their respective Offices, before the Governor, Bailiffs, and Conservators, or any two of them.

XIV. The Governor, Bailiffs, Conservators and Commonalty on *Wednesday* in *Whitsunweek* yearly, shall by the greater number then present, whereof the said Governor or one of the Bailiffs to be one, elect a new Governor, Bailiffs and Conservators. None shall be Governor or a Bailiff that hath not four hundred Acres, nor a Conservator that hath not two hundred Acres, nor any of the Commonalty to have a voice in Elections, that hath not a hundred Acres of the said 95000 Acres. The Governor, Bailiffs and Conservators or any of them may be removed by the greater number present at their publick Meetings, (whereof the Governor or one of the Bailiffs to be one) and new chosen in their Place. In Suits commenced against the Corporation or others, for any thing done in pursuance of this Act, they may plead the General Issue, and give the special matter in Evidence.

XV. The Governor, Bailiffs and Commonalty of the said Company of Conservators, &c. shall stand seized of all the Shares and Proportions of the said 95000 Acres, which in pursuance of an Indenture of fourteen parts, bearing date the 27th day of *February*, in the seventh year of King *Charles* the First, and by virtue of a Law of Sewers made at *Kings-Lyn* in the sixth year of the Reign of the said King, do belong to *Samuel Sandys* the Elder, or his Trustees, *Sir William Terringham*, *Sir Richard Onslow*, and other the Assigns and Trustees of *Henry* late Earl of *Arundel* and *Surry*, *Arthur* Earl of

of *Anglesey*, *Thomas Lord Culpeper*, *Robert Philips*, *Robert Scawen*, and other the Participants of *Francis Earl of Bedford*, and Parties to the said Indenture, their Heirs, Executors, &c. which are now enjoyed by divers Persons claiming under a pretended Act of Parliament of the 29th of *May 1649*. in which certain Persons were mentioned to have authority to sell the Shares of such Adventurers and Participants of the said *Earl Francis*, &c. as should refuse to pay such Taxes as by colour of the said pretended Act should be imposed on them; in Trust nevertheless for the said *Samuel Sandys* the Elder, or his Trustees in Trust for him, *Sir William Terringham*, &c. as heretofore in or about *October* in the thirteenth year of King *Charles* the First, were allotted for the Shares of such of the Adventurers, and Participants of the said *Earl*, and the parties to the said Indenture, &c. under whom the said *Samuel Sandys* the Elder, &c. and other the Participants of the said *Earl*, &c. now out of possession, derive their Shares: And the said Corporation are hereby required to execute respective Estates of the said Shares, subject nevertheless to all Taxes, &c. to be imposed by virtue of this Act.

XVI. The Chief Justice of the King's Bench, the Chief Justice of the Common Pleas, the Chief Baron of the Exchequer, and the Justices of the Court of Common Pleas, or any two of them, are hereby constituted Commissioners to decree and determine upon Bills and Answers, or otherwise, as they shall think fit, between the Persons now in possession of the said Shares, and the said *Samuel Sandys* the Elder and his Trustees, *Sir William Terringham*, &c. now out of possession, and may decree such an Allowance as they see cause: Which Commissioners shall have such authority as the High Court of Chancery: And may order and decree upon what Persons or Lands the Sums in arrear for Taxes imposed since the 29th of *September 1658*. upon several parts of the said 95000 Acres subjected by this Act to the said Judicature, and for Penalties incurred for non-payment thereof, shall be charged, which Taxes and Penalties shall be Levied according to the Order and Decree of the said Commissioners.

XVII. Ninety five Acres in *Ravely* and *Upwood*, seventy six in *Sothery*, forty four Acres and one Rood in *Wicken*, eighty eight in *Cowfen*, two hundred eighty two in *Beezling*, and thirty seven in *Uppel*, set out to be enjoyed as part of the said 95000 Acres, in lieu of like Proportions restored to the Country, shall be enjoyed by the said Corporation, subject nevertheless to the Trust in and by this Act declared.

XVIII. If the said *Earl of Bedford* and his Participants, or the said Corporation, have done, or shall do any Act or Acts to the Prejudice of Navigation, if it be consisting with the Draining, whereby such Drove ways or Bridges as have been made by the Adventurers, and by them maintained, unless there be some Agreement to the contrary, shall be obstructed, then the Commis-

oners

oners constituted by this Act for the several purposes therein mentioned, or any seven of them, whereof the Vice-Chancellor for the University of *Cambridge*, the Mayor of the Town of *Cambridge*, and the Mayor of the Town of *Kings-Lyn*, to be three, if upon notice left at their respective Habitations, they shall think fit to be present, may decree the same to be amended at the Charges of the said Corporation; and in default thereof, by Warrant under their Hands and Seals, may Tax the said Ninety five thousand Acres for preserving Navigation; the Sum taxed to be paid within twenty Days after notice thereof given to the Governor or Treasurer of the said Corporation, to such Persons as the Commissioners shall appoint to receive them: Which Persons the Commissioners may empower in default of payment by the said Corporation, to Levy the same by Distress upon the said Ninety five thousand Acres, and by sale of Goods.

XIX. And in case the quantity of eight thousand Acres lying together, or near together, shall continue drowned twelve Months together, the said Commissioners, or any seven of them, may Assess Sums of Money upon the said Ninety five thousand Acres, for Draining the same, together with a Penalty for non-payment, not exceeding a third Part of the Tax; and the Share of such Participant as shall be in Arrear for the said Tax, or Penalty, by the space of two Months, shall be sequestred for the payment thereof, by Writing under the Hands and Seals of the said Commissioners, or seven of them.

XX. If the said Corporation refuse to pay such Taxes and Penalties as shall be imposed by the said Commissioners, whereupon the Goods of any Person shall be distrained, or their Lands sequestred, or that such Person shall pay the same; then the said Governor, Bailiffs and Corporation, upon notice thereof, shall Assess the whole ninety five thousand Acres for payment thereof, and of all Damages which such Persons shall have sustained; in default whereof, six Months after demand, such Persons may bring their Actions of Debt in any of the King's Courts at *Westminster*, and shall recover the same, and Costs of Suit.

XXI. The said Commissioners, or seven of them, for the better Execution of the Powers hereby given, may examine Witnesses upon Oath.

XXII. Before they take upon them the Execution of any Authorities hereby given them, other than the Administring the Oath following to one another, they shall take this Oath, viz.

I A. B. Shall and will, without favour or affection, hatred or malice, truly and impartially, according to the best of my skill and knowledge, execute and perform all and every the Powers and Authorities Established by this Act of Parliament. Which Oath any of the said Commissioners may Administer.

XXIII. All Judgments and Decrees, and other Acts done by the said

said Commissioners, or seven of them, pursuant to the Authorities by this Act given, shall be final.

XXIV. The said Commissioners shall sit from the 29th Day of *September* to the 26th of *March* in every Year, at *Huntington*: and from the 25th of *March* till the 30th of *September*, at *Ely*: Unless they, or seven of them, shall appoint some other Place, being a Market-Town. They shall declare the Place and Times of their Meeting, by Warrant under their Hands and Seals, which shall be published in the open Market of the Place where they last sat, between the Hours of Twelve and Two, one Month before their Meeting, and by Warrant may summon Parties and Witnesses.

XXV. None of the said Commissioners shall vote in any matter which concerns the Bounds of the County for which he is a Commissioner.

XXVI. No Person having any Interest in Lands within the Level shall be a Commissioner.

XXVII. The said Commissioners may make satisfaction out of the said Ninety five thousand Acres, to such whose Lands shall be made worse by any new Works to be made by the said Corporation, than they were in the sixth Year of King *Charles* the I.

XXVIII. Lords of Manors, and all that have Rights of Common in Wastes within the said Level, and other places to which the Works aforesaid extend, may enclose the same; all differences that shall arise concerning the Boundaries thereof, shall be determined by the said Commissioners upon their view or examination of Witnesses upon Oath: Which determination being certified into the Petty-Bag, there to be filed and kept upon Record, shall be final.

XXIX. Archbishops, Bishops, Deans and Chapters, and Colleges and Halls in either University, and all Bodies Politick, having such Right of Common, may demise by indenture their respective Proportions, which have not by express Words, and under any particular Rent been formerly Demised, for any Term not exceeding twenty one Years, so as upon every such Demise the fourth part of the true yearly Value to be ascertained by the Commissioners, or seven of them, be reserved.

XXX. Nothing in this Act shall extend to alter the Possession of *Thomas Chicheley* Esq; from six hundred seventy one Acres, parcel of the Lot claimed to belong to the Trustees of *Henry* late Earl of *Arundel* and *Surry*, and Two hundred thirty one Acres, parcel of the Lot of Sir *William Terringham*.

XXXI. Rights to Waifs, Strays, Felons Goods, Privileges of Arrests, Escheats, and other Royalties, not prejudicial to the Draining, are saved.

XXXII. This Act shall not infringe or weaken an Act made in the fourth Year of King *James*, cap. 13. for Draining certain Fens, and low Grounds in the Isle of *Ely*.

XXXIII. The said Commissioners upon complaint by the Owners of Lands near adjoining to the said great Level, that their Lands have

have been cut through without making satisfaction, may decree them such Recompence as they judge reasonable, the said Recompence to be made within six Months after such Decree made: In default whereof, the said Commissioners or any seven of them may Tax the said Ninety five thousand Acres, and Distrain thereupon, and sell the Distress.

XXXIV. If the Judicature hereby Established shall not within twelve Months from the first of *August* next determin the said Matters to them referred, the Barons of the Exchequer shall determin the same.

XXXV. Whereas twelve thousand Acres, parcel of the said Ninety five thousand, were allotted to his late Majesty, who granted two thousand Acres thereof to *Jerom* Earl of *Portland*; The Kings Lessees of the remaining ten thousand Acres may be chosen into the Places of Governors, Bailiffs, and Conservators aforesaid, &c. so as they have double the quantities of Acres, parcel of the said ten thousand Acres, as by this Act is required, to qualifie Persons to be elected into the said Offices.

XXXVI. No other Charge shall be laid upon the said Corporation in respect of Breaches by inevitable Accidents, than to repair the same. Nor shall the said Corporation be enforced to give any Recompence for any loss sustained by reason of their making necessary and sufficient Banks for defending the said Level, and leading the Waters thereof into their Channels as now they run unto their outfall into the Sea.

XXXVII. No ascertaining or dividing the said drained or new improved Lands by the said Commissioners, shall conclude the King or any other, as to the Bounds of Parishes, to any other purpose than subjecting the same to Taxes and Contributions, and Episcopal Jurisdiction.

XXXVIII. All Persons that shall be convicted by two Witnesses upon Oath before two Justices of Peace of breaking down, or any ways hindring or laying open the said Inclosures, shall Forfeit 20 *l.* to be levied by Distress and Sale of Goods by Warrant under Hand and Seal of such Justices: One Moiety whereof shall be to the Informer, the other to the Person against whom the Offence shall be committed; and for want of a sufficient Distress, the Offender shall be committed to the House of Correction, or Common Goal three Months.

XXXIX. After the 1st of *August* 1668. No Tax exceeding two Shillings the Acre in any one Year shall be laid upon the said ten thousand Acres by this Act vested in the King, or upon the two thousand Acres vested in the Assigns of the Earl of *Portland*: and in case the Taxes to be Assessed upon the other eighty three thousand Acres, shall not amount to so much in proportion, a proportionable abatement shall be made out of the said 2 *s.* per Acre, which shall be charged yearly on the said ten thousand and two thousand Acres.

XL. The

XL. The laying of Taxes on the said ten thousand Acres, or on the said two thousand Acres, after the first of *August*, 1668. by way of an Acre Tax, shall not be construed to extend to compel the said Corporation to levy any Tax on the other eighty three thousand Acres, by way of an Acre-Tax.

XLI. Stat. 16 & 17 Car. 2. cap. 11. The several Decrees made at a Session of Sewers holden at *Bourn* in *Lincolnshire* the 20th of *August*, Anno 41 El. and at a Session held at *Market-Deeping* on the 20th of *September* in the same Year; and at another held likewise at *Market-Deeping*, on the 20th of *August*, 42 El. and an Act of Parliament 1 Jac. Intituled, *An Act for Relief of Thomas Lovel, Esq;* and every Clause therein, other than such as are hereafter confirmed, are hereby Repealed.

XLII. *Edward* Earl of *Manchester*, *William* Earl of *Devonshire*, *John* Lord *Berkly* of *Stratton*, *Anchibal* Grey Esq; *Henry* Grey Esq; their Heirs and Assigns, and the Survivor of them, declared Undertakers for Draining *Deeping*, *Pinchbeck*, *Thurlby*, *Bourn* and *Croyland* Fens, in Trust for such Persons, and to such intents and purposes as are herein after mentioned. Within seven Years next ensuing, they, &c. shall recover and makedry the said Fens, except about two hundred or three hundred Acres in *Deeping* Fen, and *Goggusland*, and about forty Acres in *Thurlby* and *Bourn* Fens, which are to be left for Lakes for the receipt of Waters; and except such Drains as are or shall be for Draining, and so much Ground as doth or shall lie between the Rivers, Drains, &c. and their Banks; and shall for ever at their own Costs, not only repair and keep the Banks encompassing the said Fens, but also the Bank on the East-side of the *Welland*, from *Brother-house* to *Spalding-High-Bridge*; and the Bank from the North-side of the *Glean* from *Guttheram-Coat* to *Doveburn*; but shall for ever keep the said Rivers with sufficient Dyking, Roading, Scouring and Banking, viz. the *Welland* from the Out-gang at the East-end of *East-Deeping*, unto the Out-fall into the Sea, without diverting the course thereof, as it now passeth from the Corner of *Deeping* Fen to the Sea, or of the *Glean* as it now passeth from *Doveburn* to the Sea.

XLIII. The said Trustees, &c. shall set down and maintain convenient Bridges with Gates, in wideness not exceeding twelve Foot, Railed or Walled against the sides, for passage into the Fens, in such Places as shall be ordered by any six Commissioners of Sewers for the County of *Lincoln*, in their open Sessions.

XLIV. The said Trustees, &c. may at pleasure desert, or continue and enlarge such Drains as now are, and make new ones; making satisfaction to any suffering Damage by the Water soaking through the Banks thereof, as shall be awarded by the said Commissioners, or any six of them in open Sessions: the Inhabitants of *Spalding* and *Pinchbeck* to have liberty to set down and stop such Sluices, Tunnels and Gages of Water and Locks, as are or shall be upon the said Rivers

Rivers and Drains, except the *Welland*, *Glean* and *Westload*, at such times as two Commissioners of Sewers for the Parts of *Holland* shall judge necessary for Draining their In-Grounds; the same not exceeding two Months in the Year. And if any of the Banks break or be overflown, whereby the Waters fall into any Lands in the Wapentake of *Elloe*, the Dyke-Reeves, Officers, or other Inhabitants there, may set down the Slough of such Drain, or otherwise stop the same till the Banks be repaired and heightened.

XLV. If any Gool, Breach or Overflowing shall happen in, over, or through any of the said Banks, other than the Bank called the *Dozens* and *Hawthorn-Bank*, and be not amended within ten days, the Dyke-Reeves, or Surveyors of Sewers in *Spalding* or *Pinchbeck*, or other the Towns in the Wapentake of *Ness* or *Elloe*, may repair the same at the Costs of the Trustees, &c. the Money expended to be repaid upon a Note delivered in Writing to them, &c. their Tenants, Servants, &c. or any of them, under the Hands of two Commissioners of Sewers, whereof one to be of the *Quorum*; which if the said Trustees, &c. shall refuse to pay, the said Officers or Persons, &c. may enter into the third part of the said Fens, or the five thousand Acres additional Recompence herein after given, and Distrain upon them, &c. their Tenants, Farmers, &c. after four days to sell the Distress, rendring the Overplus to the Owner.

XLVI. The Dyke-Reeves, or Surveyors of Sewers in *Pinchbeck* and *Spalding*, or any the Towns in the Wapentake of *Ness* or *Elloe*, may repair at the Costs of the said Trustees, &c. to be Levied in manner aforesaid, all such Breaches, Gools, and Over-flowings of Waters as shall happen in, over or through the Bank called the *Dozens* or *Hawthorn-Bank*, the East-Bank, the Bank on the North-side of the *Glean*, or any other Bank without the said Fens, made or to be made in order to the Draining of them.

XLVII. The said Trustees, &c. shall make satisfaction for Damages sustained by their own negligence, in not sufficiently maintaining or cleansing any Rivers, Banks or Drains, or by any inconvenient placing, setting or making any Drain, Grate or Sluice, as six Commissioners of Sewers for the part of *Holland*, whereof three to be of the *Quorum*, shall appoint (if not otherwise satisfied by the Lords Adventurers) which if they neglect to pay by the space of twenty days after demand made to them, their Agents or Tenants, &c. the Persons sustaining such Damage may enter and Distrain, as aforesaid. The said Trustees, &c. for the enlargement of any old Drains or Banks, or making new ones, may cut or cover the several Soil of any Person, agreeing with the Owner, or paying or tendring, before such Soil be cut or covered, such value for the Damage as shall be set down by six Commissioners of Sewers, whereof three to be of the *Quorum*.

XLVIII. The Trustees, &c. may pull up any Bridges over the *Glean* and *Welland*, the Rivers of *Westload*, or *Storfengraft*, *Vernats* or any other Drain that is or shall be, that may hinder the passage of the

the Waters, and all Wears and Purprestures: Provided they forthwith build again at their own Charges the high Bridge over *Spalding* River, of Lime and Stone, and all other Bridges of such Materials as the former were. The ancient Bridges and Tunnels to be maintained for ever at the Charges of the said Trustees, &c. If the said Bridges shall not be made or repaired by the said Trustees, &c. in convenient time, the Commissioners of Sewers may decree what Sums of Money will be necessary for effecting the same, and upon default of Payment thirty days after notice thereof, by a Note under the Hand of their Clerk, may levy the same by Distress (and Sale of the Goods) upon any Lands hereby vested in the said Trustees. If the High-Bridge over *Spalding* River be not finished before the 25th of *March*, 1670. the said Trustees, &c. shall Forfeit 150*l.* to *Piercy Church* Esq; &c. to be raised by the Commissioners of Sewers, by Sale of part of the third part of the said Fens, or of the said three thousand five hundred Acres therein mentioned.

XLIX. The Trustees, &c. may cut the Ground lying between the Outring Banks and the said Rivers, to take earth, Manure and Litter for repairing the Banks, as need shall require, (such cutting not to be above sixscore Foot distant from the Banks) and may erect and keep such Bars and Slakers, and in such places as they think fit, to take off the surplussage of Waters, and hinder the Drifts of Cattle over the Banks, in the times hereafter prohibited. No Person (except as is hereafter excepted) shall between *Michaelmas-day*, and the first day of *May* in any Year drive any Cattle upon the said Banks, without paying to the Trustees, &c. 4*d.* for every score of Sheep, and for every other Beast 4*d.*

L. The Lords, Owners and Commoners in the Fens, shall pay nothing, unless they trade that way to *London* with Cattle not of their own feeding a Month before.

LI. No Person keeping a Horse-Boat at *Croyland*, *Cloot*, *Deeping*, *Boston*, *Eastwat*, *Pinchbeck*, *Spalding*, or *Cowlet*, shall land any Horsemen or Cattle upon the said Banks, between the days aforesaid, but at *Waldrome-Hill*, *Boston*, *Spout*, *Coveburn*, *Cloot* or *Croyland*, without Licence from the Trustees, &c. on pain to Forfeit for every Horse or Neat Beast 6*d.* and for every score of Sheep 4*d.* to the Trustees, &c. nor shall any Persons draw any Boat over any Bankin, or compassing the said Fens, but in places thereto Appointed.

LII. No Swine shall be put upon the Fens, but where other Cattle are put in; and shall be ringed, on pain to Forfeit for every Hog unringed, 2*d.* to the Trustees, &c. to be levied by Distress.

LIII. The said Trustees, &c. their Tenants, &c. shall not use or claim any Common of Pasture in any part of the remainder of the Fens, nor in the North-Fen of *Pinchbeck* and *Spalding*, by virtue of their residence there: Nor shall the Inhabitants of the said third part, or any part of the said five thousand Acres that are poor, become chargeable to the Parishes wherein they dwell, but shall be maintained by the said Trustees.

LIV. No

LIV. No Water (otherwise than necessary for Household uses, as is by some Law of Sewers already settled) shall be let out of the *Glean* or *Welland*, or any other the said Drains, without Licence of the Trustees, &c. or by Order of six Commissioners of Sewers, the Cuts to be made up again at their charge for whose benefit they were made, and if any abuse happen to be therein, the Trustees, &c. may stop the same.

LV. The Inhabitants of *Pinchbeck* and *Spalding* shall have the use of a Sluice called *Blew-gate*, and the Drain leading to it, so as the Trustees, &c. be at no charge for maintaining it.

LVI. The Drain under the *Dozens* from *Boston-Bank* to *Win-sover*, shall be ditched two hundred foot more inward than now it is, and the Earth laid on that side of the Bank near *Pinchbeck*.

LVII. The said Trustees shall enjoy to them, their Heirs and Assigns, the third part of the said Fens formerly assigned to *Thomas Lovel*, and three thousand five hundred Acres allotted by a Decree of Sewers made at *Spalding*, and a thousand Acres out of that part of the Fens formerly taken in for the Queens Improvement, and five hundred Acres more to be taken proportionably out of the residue of the Fens in *Kesteven* and *Holland*, next adjoining to the said three thousand five hundred Acres; these five thousand Acres to be measured by Statute measure by two Artifs, at the charge of the Trustees, one to be chosen by the Commissioners of Sewers for *Kesteven* and *Holland*, and one by the said Undertakers; but upon these Trusts, viz. that they shall grant eight thousand thirty six Acres mentioned in the Schedule annexed to an Indenture of fifteen parts, dated the 2d of *August*, 1650. made between *Elizabeth* Countess Dowager of *Exeter* and others, and two thousand Acres to be set out within six months, to such Persons, and for such Estates, and in such manner as *Thomas* Earl of *Berks*, the Lord *Andover*, Lord *Bruce*, and *John* Lord *Berkley* of *Stratton*, shall appoint: and for the residue of the said Fens by this Act allotted for Recompence for Draining, in Trust for the said Earl of *Berks* and *Elizabeth* his Wife, the said Lord *Andover*, the Earl of *Elgin*, Countess of *Stamford*, Lord *Grey*, and such others to whom Estates are limited under *William* late Earl of *Exeter* and *Elizabeth* his Wife, or either of them. If the Commissioners shall not nominate a Surveyor within three months after nomination by the Trustees, the Trustees may proceed by their own Artift.

LVIII. The Trustees, &c. shall sufficiently Fence and Inclose all the Lands by this Act to them granted: nor shall they Distrain any Cattle entring for default of such Inclosure: and if any Action be brought for the same, the Defendant may plead the General Issue, and give this Act in Evidence: the two Drove-ways from *Kesteven* into *Holland* shall be continued open, and the Banks or Drains to be made or continued, shall not hinder the Land-Waters falling from *Kesteven* into the said Fen.

LIX. This Act shall not charge the Persons of the Trustees, &c. nor their Estates, Real or Personal, other than their Estates of and in the said Fens.

LX. If the Trustees, &c. shall not finish the Draining of the said Fens within Seven years, or shall not afterward keep and maintain the same way and depasturable for Cattle, but shall suffer the same or most part thereof to be overflowed Five years, and that found to be through their default, by the greater number of twelve Commissioners of Sewers, whereof six to be of the Parts of *Holland*, and six of *Kesteven*, upon their own View, or Presentment of Jury, and certified into Chancery; from thenceforth the Trusts aforesaid, and all Estates by them executed, shall be void, and the said Trustees &c. shall be seised of the said third part, and the said additional Allotments in trust, to suffer the said Commissioners of Sewers of *Kesteven* and *Holland*, to receive the whole Rents, Issues and Profits, to be expended for regaining the Fens, and doing such Works as the Trustees ought to have done, and in Trust to execute such Estates as twelve Commissioners of Sewers of *Holland* and *Kesteven*, three of each to be of the *Quorum*, shall appoint.

LXI. If the Trustees, &c. shall not at or before the end of seven years pay a hundred pound to such Persons as the said Commissioners of Sewers from time to time shall appoint, the said Commissioners may authorize any Persons to enter into the said third part, and additional Lands, and out of the Profits thereof to raise the same, for repairing of the *South-Dozens* and *Hawthorn* Bank, and so from time to time as the said Sum or any part thereof shall be expended, if not supplied within Six months after.

LXII. The Assessors of the said One thousand thirty six Acres, or any part thereof, as Adventurers under the said Trustees, &c. may hold Meetings of themselves, their Agents and Workmen for making By-Laws for the more orderly management of the said Work of Draining within themselves, respectively; and they, or any three or more of them, may charge the Owners of the said One thousand thirty six Acres by an Acre-Tax (every of them so Charging and Assessing to be really then Owner of Two hundred fifty Acres or more within the said Fen) and upon default of Payment by the space of Three months after the time limited, may sell so much of the Defaulters Land within the Fen, as to them or three of them shall seem fit, subject to such Conditions and Forfeitures as are in this Act expressed: such Conveyance to be Enrolled in Chancery within Six months after the making thereof.

LXIII. Owners of the Soil of the said Fens, or Commoners there, may inclose and sever such quantities of the same, (other than such parts as are allotted to the Undertakers) as shall be proportionable to their Interests, and hold the same in severalty; but subject to the Powers given by this Act to the Trustees. The Boundaries of the Wastes so to be inclosed to be set from time to time, upon request of any persons concerned by the persons here-
after

after named, viz. *Thomas Lord Beaumont, &c.* (See their Names in the *Act at large*) or any seven of them, upon their View or Examination of Witnesses upon Oath, or other Proof; which Determination being certified into the Petty-Bag, shall conclude all Parties. Persons aggrieved may within Six months after appeal to any Thirteen or more other Persons of the said Judicature, whose Determination shall be final. The said Commissioners before they execute the Powers hereby given, other than the Administring this Oath to one another, shall take this Oath, viz.

I A. B. am not interessed in Possession, Reversion or Remainder of, in, or to the said Fens, or any part thereof, and shall and will without favour or affection, hatred or malice, truly and impartially, according to the best of my Skill and Knowledge, execute and perform all and every the Powers and Authorities in me established by this Act of Parliament.

LXIV. The said Commissioners shall sit at *Stamford, Market-Deeping, or Spalding*; they or seven of them shall declare the Places and Time of their Meeting by Warrant to be published in open Market of the said Towns between the hours of Twelve and Two, Twenty one days at least before the times of Meeting: and by Warrant from three of them may summon Parties and Witnesses to appear, and if any Controversie or Difference shall arise among them concerning the Exposition of this Act, the two Chief Justices and Chief Baron, or two of them, may determine the same; their Judgment to be certified together with the Determinations of the Commissioners into the Petty-Bag.

LXV. Stat. 20 Car. 2. cap. 8. All Taxes imposed for the maintenance of the great Level of the Fens, called *Bedford-Level*, shall be Taxed by the Governors, Bailiffs and Conservators, or five of them, whereof the Governor and Bailiffs, or any of them, to be two, upon the said Eighty three thousand Acres, by a gradual Acre Tax of different sorts and values of Land.

LXVI. So often as a Tax of Six thousand one hundred and ten pounds seven shillings and one peny half-peny shall be Assessed upon the Ninety five thousand Acres, then the Twelve thousand Acres shall be rated at Fifteen pence the Acre, and so proportionably for the raising of greater or lesser Sums. No Taxes by virtue of this Act shall be imposed but upon *Wednesday, Thursday and Friday* next after the First Sunday in *April*, or some one of them yearly.

LXVII. Sales for Non-payment of Taxes appointed by the Act of 15 Car. 2. cap. 17. to be made at *Ely* upon *Wednesday and Thursday* in *Whitsun-week* yearly, shall be upon the said *Wednesday, Thursday or Friday* after the First Sunday in *April* yearly. The Serjeant at Mace of the said great Level shall by Precept under the Corporation-Seal deliver Possession to such Purchasers.

LXVIII. Surveyors appointed to digest the said eighty three thousand Acres into sorts and degrees of Land, not under the number of seven, and to make Returns thereof into the Fen-Office, for the more equally rating them by a gradual Acre-Tax.

LXIX. Stat. 1 Jac. 2. cap. 21. The Clause in the Act of 15 Car. 2. cap. 17. (which *vid. supra* sect. xviii.) for dividing and enclosing Commons in Wastes, is hereby repealed: And no Inclosures shall be hereafter made, but Inclosures already made, and certified into the Petty-Bag Office, shall continue.

LXX. All Agreements betwixt Persons and Town-ships, not to divide, but to feed and order their Commons and Wastes by an equal stint of Cattle, in proportion to their Advantage and Improvement, made and confirmed by Decree in Chancery, are hereby ratified.

LXXI. Decrees and Adjudications for Inclosures and Allotments already made, but not signed, sealed and certified into the Petty-Bag Office, which shall be made perfect before the 24th of June, 1686. shall be good in Law; and all not perfected before that time shall be void.

Masons.

I. Stat. 3 H. 6. 1. It shall be Felony to plot Confederacies amongst Masons; and such as assemble upon such Confederacies shall suffer Imprisonment, and make Fine and Ransom at the Kings Will.

Matrimony and Marriage.

I. Stat. 32 H. 8. 38. *pars inde*. All Marriages shall be adjudged lawful that are not prohibited by God's Law.

II. Stat. 2 & 3 E. 6. 21. All Laws, Canons, Constitutions and Ordinances which prohibit Marriage to Spiritual Persons, who by God's Law may marry, and all Pains and Forfeitures therein contained, shall be void.

III. Provided, That this Act shall not give Liberty to marry without asking in the Church, and other Ceremonies appointed by the Book of *Common-Prayer*.

IV. Degrees and Divorces heretofore made, are saved.

V. Stat. 5 & 6 E. 6. 12. The Marriage of Priests and other Spiritual Persons shall be lawful, and their Children legitimate and Inheritable: likewise they to be Tenants by the Courtesie, and their Wives Dowable.

VI. Stat. 1 Jac. 1. 11. A *Bigamis* shall suffer Death as a Felon, unless he or she have had no notice that the Husband or Wife was living within seven years before, or the Marriage be severed by Divorce.

VII. This

VII. This Felony shall cause no corruption of Blood, or loss of Dower or Inheritance.

VIII. Stat. 12 Car. 2. cap. 33. All Marriages solemnized in any the Kings Dominions, since the first of May, 1642. before any Justice of Peace, or so reputed, or according to any Ordinance or reputed Ordinance of both or either Houses of Parliament, or of any Convention sitting at *Westminster* under the Name of a Parliament, shall be of effect as if solemnized according to the Rites used in the *Church of England*: and Issue upon Bastardy, or unlawfulness of Marriage, concerning such Marriages, shall be tried by Jury. Confirmed 13 Car. 2. cap. 11.

Mesne.

I. Stat. *Westm.* 2. 9. 13 E. 1. The Tenant distrained by the Chief Lord, may have a Writ of *Mesne* in the County where he is distrained, against the Mesne, who having Land in that County, and not appearing till the Grand Distress, Day shall be given in the Grand Distress, so as two Counties may be holden before the Return, wherein the Sheriff shall proclaim that he came to answer the Tenant at the Day; at which day if he come not, he loseth his Service, and then the Tenant shall answer to the Chief Lord such Service as he ought to have done to the Mesne.

II. The Chief Lord shall not distrain the Tenant so long as he offers him the Service due; and if the Lord exact more than the Mesne ought to do, the Tenant may have such Remedy as the Mesne might have had.

III. Upon a Return that the Mesne hath nothing to be summoned by, an Attachment shall go out; and upon a *Nil* returned, the Grand Distress with Proclamation, as before.

IV. The Mesne having no Land in that County, but in another, upon such a Return by the Sheriff, the Party shall have a Writ Judicial to summon the Mesne in that County where it is testified that he hath Lands; and both there and in the other County shall proceed to the Grand Distress, Proclamation and Judgment, as before.

V. The Mesne coming into the Court, and acknowledging, or being adjudged to acquit the Tenant, and not doing it, the Tenant shall thereupon have a Judicial Writ of Acquittal: Whereupon if the Mesne come in, and the Tenant can aver that the Mesne hath acquitted him, he shall be satisfied his Damages, be quit of the Mesne, and hold of the Chief Lord. And here also, if the Mesne come not at the first Distress, then another Distress shall go out, Proclamation shall be made, and Judgment had, as before.

VI. This Statute extendeth only where there is but one Mesne between the Lord that distraineth and the Tenant, the Mesne also being of full Age, and the Tenant, Tenant in Fee-simple.

Militia.

I. Stat. 13 Car. 2. cap. 6. Forasmuch as the Supream Government of the Militia, all Forces by Sea and Land, Forts and Places of strength is, and ever was the King's undoubted Right, and that both or either of the Houses of Parliament cannot pretend to the same, nor may levy War Offensive or Defensive against the King; and whereas an Act is under Consideration for Exercising the Militia with safety and ease to the King and People; the Militia and Land-Forces shall be managed till the 25th of *March* next ensuing as now they are, according to such Instructions as they shall receive from the King.

II. Stat. 13 & 14 Car. 2. cap. 3. The King, his Heirs and Successors may from time to time issue Commissions of Lieutenancy for the several Counties, Cities and Places of *England, Wales,* and Town of *Berwick*; which Lieutenants may call together such Persons, at such Times, and Arm and Array them in such manner as follows, and form them into Companies, &c. and conduct and employ them within the Places for which they shall be Commissioned, and other the Places aforesaid, to suppress Insurrections, or repel Invasions, as the King shall direct. The said Commissioners may give Commissions to Colonels, Majors, Captains and other Commission Officers, and present to the King the Names of such as they think fit to be Deputy-Lieutenants, and upon his approbation shall give them Deputations; yet the King may order otherwise, and at pleasure Commissionate or Displace such Officers; and the said Lieutenants, and in their absence, or otherwise by their Directions, the Deputy-Lieutenants, or any two or more of them, may exercise and conduct the Persons so to be armed, &c. as is hereafter expressed.

III. The Lieutenants or Deputies, or major part of them then present, or in absence of the Lieutenants, the major part of the Deputy-Lieutenants then present, which shall be three at the least, may charge any where their Estates lie, with Horse, Horseman and Arms, that have 500 *l. per Ann.* in Possession, or 6000 *l.* in Goods or Money, besides Furniture of their Houses, and so proportionably: and any with a Foot Soldier and Arms that have 50 *l. per ann.* in Possession, or 600 *l.* in Goods and Money, other than Stock on the Ground, and so proportionably; they shall charge none to find both Horse and Foot in the same County.

IV. None shall be chargeable with or towards a Horseman and Foot-Soldier too for the same Estate. Several Persons may be joyned together in the charge of finding a Horse, Horsemen and Arms.

V. None having under 100 *l. per annum* in Possession of any Estate, or under 1200 *l.* personal Estate, shall contribute in finding any Horse: The said Lieutenants and Deputies, or any three, &c. may

may hear Complaints, examine Witnesses upon Oath, and give redress in matters relating to the Execution of this Act; and shall require allowance of 2 s. *per diem* to Troopers, and 12 d. a day for the Foot-Soldiers (if the Persons charged serve not in person) for so many days as they are absent from their Dwellings: and may lay Rates for Ammunition and other Necessaries, not exceeding in a year a fourth part of one months Assessment in each County after the rate of 70000 l. *per mensem* lately charged by an Act, Intituled, *An Act for raising Seventy thousand Pounds for a further Supply to his Majesty*; to be paid according to their Directions, under such Penalties, and by such Means as are prescribed in the said Act.

VI. And in case of Insurrection, or Invasion the Persons charged shall provide their Soldiers with Pay in hand not exceeding one months pay, as shall be directed by the Lieutenants, and in their absence, or otherwise by their Direction, by their Deputies, or any two or more; for repayment of which, and for satisfaction of the Officers, for such time not exceeding one month, as they shall be in actual Service, Provision shall be made by the King out of the Publick Treasury. None that have advanced a months pay, shall be charged with any other months payment till they are re-imbursed.

VII. The Lieutenants and their Deputies or chief Officers upon the Place, may charge Carriages and Horses to carry Powder and other Materials at 6 d. a mile outward, for every Carriage with five Horses and six Oxen, and so ratably; and for every loose Horse 1 d. upon marching of any Company on occasion of Insurrection or Invasion: and may imprison Mutineers and Soldiers not doing their Duties at Musters and Trainings: and inflict Mulcts not exceeding 5 s. or Imprisonment not exceeding twenty days for every Offence.

VIII. If any charged with neglect to provide, or to pay such Sums as aforesaid, the Lieutenants and their Deputies, or three, &c. may inflict a Penalty not exceeding 20 l. and by Warrant under Hand and Seal levy such Sums, or the value of such Horses, Arms and Furniture, and Penalty inflicted by Distress and Sale of Goods; to be employed to the uses in default whereof it was imposed.

IX. If any so to be armed, detain or imbezil his Horse or Furniture wherewith he is intrusted, the Lieutenants, and in their absence, &c. may Imprison till satisfaction; and if such Persons appear not compleatly armed upon Summons, through their own default, may Imprison them five days, or inflict a Penalty, if a Horseman, not exceeding twenty shillings, and if a Footman, not exceeding ten shillings, to be paid without delay; and if any so charged neglect to send in his Horse, &c. upon Summons they may inflict a Penalty not exceeding five pound, to be levied by Distress and Sale of Goods.

X. The Lieutenants and their Deputies, or three, &c. may examine upon Oath touching the ability of Persons to be charged, such as they think convenient, other than the Persons themselves.

XI. The Lieutenants shall appoint for receiving and paying Monies, Treasurers and Clerks, who shall every six months give their Accounts in Writing upon Oath to the Lieutenants, &c. which shall be certified to the Lords of the Privy-Council, and a Duplicate thereof to the Justices of Peace, at the next Quarter-Sessions.

XII. The Deputy-Lieutenants shall observe the Directions of the respective Lieutenants: The Lieutenants, or two or more of their Deputies, may by Warrant employ Persons (of which a Commissioned Officer, and a Constable or his Deputy, or the Tything-man, or in their absence some other Officer of the Parish, shall be two) to search for and seise Arms in the Custody of such as the said Lieutenants, or any two of their Deputies judge dangerous, and secure them for the Service aforesaid, and give account thereof to the Lieutenants, &c. No search to be made between Sun-setting and Sun-rising, other than in Cities and their Suburbs, Towns Corporate, Market-Towns, and Houses within the Bills of Mortality, if the Warrant so directs. No Dwelling-house of a Peer shall be searched but by Warrant from the King under the Sign-Manual, or in the presence of the Lieutenant, or one Deputy-Lieutenant; in case of resistance it shall be lawful to enter with force; the Arms seised may be restored, if the Lieutenants, their Deputies, or two, &c. think fit.

XIII. High-Constables, Petty-Constables, and other Officers, shall be assisting in execution of the Premises.

XIV. If any Persons charged, reside not in the County, the Lieutenants and Deputies, or three, &c. shall send notice to his Servant that manageth his Land; or if all be let, to one or two of his most sufficient Tenants, who are to convey it to their Master or Landlord, and within the time appointed bring his Answer to the Lieutenants and Deputies, or three, &c. and upon his neglect shall provide as he ought to have done; else the Lieutenants, and in their absence, &c. by Warrant under their Hands and Seals, may levy by Distress and Sale of Goods, the Penalties appointed by this Act; which such Tenants may defalk out of their next Rent; unless the Landlord within two months after such Levying, make appear to the Lieutenants, and in their absence, &c. that the Default was occasioned by neglect of the Tenant.

XV. No Peer shall serve as Lieutenant or Deputy-Lieutenant, unless he shall first before six Lords of the Privy Council, or others authorized by the King thereunto, take the Oaths of Allegiance and Supremacy, and this Oath:

I A. B. do declare and believe, that it is not lawful upon any pretence whatsoever to take Arms against the King; and that I do
abhor

abhor that traiterous Position, That Arms may be taken by his Authority against his Person, or against those that are commissioned by him in pursuance of such Military Commissions. So help me God.

Per Stat. 1 W. & M. cap. 8. The said Oath no more to be required or enjoyned, but other Oaths therein mentioned.

And no other Person shall act as Lieutenant, Deputy-Lieutenant, Officer or Soldier by virtue of this Act, that shall not take first the said Oaths before any Justice of Peace of the respective Counties: But Lieutenants also may administer the said Oaths to their Deputy-Lieutenants, not being Peers; and they, or in their absence, &c. to the said Officers and Soldiers.

XVI. General Musters shall be but once, and Training of single Companies not above four times in a Year, unless special Direction be from the King or Privy-Council: Single Companies shall not be continued in Exercise above two Days: At general Musters none shall be constrained to stay above four Days from their Habitation. Every Musqueteer shall bring half a pound, and every Horseman a quarter of a pound of Powder: The Arms and Furniture for Horse are to be as follows: The Defensive Arms, a Back, Breast and Pot; the Breast and Pot Pistol-proof. The Offensive Arms, a Sword and a Case of Pistols, the Barrels fourteen Inches long: The Furniture for a Horse shall be a great Saddle or Pad with Burs and Straps, a Bit and Bridle with Pectoral and Crupper. The Musqueteers shall have Musquets with Barrels three Foot long; the Gage of the Bore for Bullets of twelve to the Pound; a Collar of Bandeliers and a Sword; a Pike-man shall have a Pike of Ash not under sixteen Foot long, with a Back, Breast, Head piece and Sword; but Musquets already made, that will bear a Bullet of fourteen to the Pound, and Pikes not under fifteen Foot long, shall be allowed.

XVII. The Militia for the Isle of *Purbeck* shall remain separate from the County of *Dorset*.

XVIII. Persons charged shall not be compellable to serve in Person, but may find others to be approved by their Captain, but subject to be altered upon Appeal to the Lieutenant, or in his absence, &c. Persons so found shall serve under such Penalties as are before appointed in this Act: all serving in Person, who are also to be approved of as aforesaid, and all serving in others stead, shall at the next Muster of their Troop give in their Surnames and Places of abode, to such as the Lieutenant, or in his absence, &c. shall appoint to be listed: after such listing such Party shall not desert the Service, or be discharged thereof without leave of the Lieutenant, or two Deputy-Lieutenants, or his Captain (but not subject to such Appeal) under their Hands and Seals, on pain of 20 *l.* to be levied *ut supra*; and upon Non-payment or want of distress, to be committed for any time not exceeding three Months, to the common Goal of the County.

XIX. Nothing

XIX. Nothing in this Act shall put a new charge of Arms upon the Tinnors in *Devon* and *Cornwall* : but the Lord Warden of the *Stannaries*, in pursuance of the Kings Commission, and such as he shall authorize according to the Directions in this Act, shall Assess, Arm and Muster the Tinnors there.

XX. The Lieutenants for the Militia of *London* shall continue to list and levy the Train-Bands and Auxiliaries there, in such manner as was used in forming the present Forces now raised by the Kings Commission, and may levy yearly so much Money as they shall judge needful, as the present Assessment is now levied, not exceeding in one Year, one Month's Tax, which the City now pays toward the Tax of 70000 *l. per mensem*.

XXI. Officers and Soldiers of the Militia of any City, Borough or Town Corporate, that is a County it self, or other Corporation or Port-Town, shall not be compellable to appear out of the Liberties of the same at any Exercise, only such Places shall find their usual number of Soldiers, unless the Lieutenants lessen the same.

XXII. Covenants between Landlords and Tenants shall not be avoided by this Act ; nor any Alteration made in the *Isle of Wight*, as to the Militia of that place.

XXIII. The Constable or Lieutenant of the *Tower* may continue to levy the Train-Bands of the *Tower* Hamlets, in such manner as was observed in forming the present Forces.

XXIV. No Feer shall be charged otherwise than as followeth, viz. The King shall issue Commissions under the Great Seal to twelve or more Peers, who, or five of them, shall Assess the Peers according to the Proportions in this Act (except the monthly Taxes, which are to be levied as above) and put all the Authorities in this Act in Execution, Imprisonment excepted ; which Charge and Penalties imposed shall be certified to the respective Lieutenants, and in default of performance, they, their Deputies, or three, &c. shall cause Distresses to be taken, and for want of Satisfaction within a Week after, sell the same for performance of the said Service : and if the Tenant of any Peer shall be distrained for such default, he may deduct the Sum levied out of his Rent.

XXV. Militia may be drawn out before the 25th of *April*, 1696. though the Month's Pay be not advanced, *per Stat. 6 & 7 W. 3. cap. 13.*

XXVI. *Stat. 15 Car. 2. cap. 4.* The Lieutenants of the several Counties, and in their Absence, or otherwise by their Direction, their Deputies, or two of them, may from time to time Lead, Train, &c. all Persons raised and arrayed according to the Act of 13 & 14 *Car. 2. cap. 3.* and all Persons charged, shall on pain of 5 *s.* allow upon demand 2 *s.* 6 *d.* by the Day to each Trooper, and on pain of 2 *s.* shall allow 1 *s.* a Day to a Foot Soldier, for so many Days as they are absent from their Dwellings ; unless

unless some other Agreement be made : the Penalty to be paid to such Trooper or Footman, and to be demanded within six Weeks after such default, or at or before the next Exercising, and not afterwards.

XXVII. The Lieutenants and Deputies, or three of them, may inflict a Penalty not exceeding 5*l.* on Persons refusing to provide such Foot-Soldiers, &c. to be imployed to the uses in default whereof it was imposed : and may appoint Constables to provide upon a Penalty not exceeding 40*s.* so many Foot-Soldiers, with Wages and incident Charges, as shall be assessed upon Revenues under 50*l. per annum*, or personal Estates less than 600*l.* in their several Parishes, &c.

XXVIII. If any refuse to provide or pay, &c. the Constables by Warrant for that purpose may levy it by distress and sale of Goods : the Tenant shall pay it, and deduct it out of his Rent.

XXIX. Once a year every Soldier shall pay to his Muster-master (who shall be an Inhabitant of the respective County) such Sum not exceeding 1*s.* for a Horseman, and 6*d.* for a Footman, as the Lieutenants and Deputy-Lieutenants, or three of them, under Hand and Seal direct ; who may levy it by distress and sale of Goods on the Persons chargeable, unless the default be through the Soldiers neglect, who in that case is to be accountable for the same.

XXX. At every Muster a Musqueteer must bring half a pound of Powder, and half a pound of Bullets, and if he serve with a Match-Lock, three yards of Match ; a Horseman a quarter of a pound of Powder, and a quarter of a pound of Bullets, at their charge who provide the said Soldiers ; who are to forfeit 5*s.* for every omitting to bear such charge.

XXXI. Every commissioned Foot-Officer in the Militia shall be excused from finding Horse or Foot, if charged but with one Horse or less ; if with more, then for so much as shall be charged with one Horse.

XXXII. Soldiers raised by virtue of this Act, shall be subject to all Orders of the former Act, and under the Penalties therein expressed.

XXXIII. The Lieutenants and Deputies, or three of them, may dispose so much of the fourth part of one months Assessment mentioned in the former Act, to the inferior Officers, as they think fit.

XXXIV. Defendant in Actions for any thing done in Execution of this Act may plead the General Issue. and if Judgment be for him, or the Plaintiff be Non-suit or discontinue, shall have double Costs : and such Actions shall be laid in the proper Counties, and brought within six Months after cause of Action.

XXXV. The Forfeitures by this Act imposed (not otherwise provided how to be levied or recovered) may be levied by Warrant under Hand and Seal from the Lieutenants and their Deputies, or three of them, by distress and sale of Goods, and for want thereof by Commitment till Satisfaction by like Warrant.

XXXVI. None

XXXVI. None that have Estates of 200*l.* *per annum*, or personal Estates of 2400*l.* shall be charged with Foot; but they that have an 100*l.* *per annum*, or 1200*l.* and under 200*l.* *per annum*, or 2400*l.* may be charged with Foot, or toward finding Horse; but this shall make no Alteration concerning the Forces to be raised in Cities, Corporations and Port-Towns.

XXXVII. The Warden of the *Cinque Ports*, and in his absence his Lieutenants shall put in Execution in the said Ports, and their Members, the Authorities given in these Acts, and continue the usual number of Soldiers there, unless they see cause to lessen the same. The Inhabitants of the said Ports, &c. shall not be charged for their Estates in the Counties adjacent, but for so much as they are liable to, and not charged within the said Ports, &c.

XXXVIII. The Parish of *St. Martins* in the Suburbs of *Stamford*, may be charged by the Lieutenants and Deputy-Lieutenants of the County of *Lincoln*.

Vide *Musters*.

Ministers.

I. *Stat. 12 Car. 2. cap. 17.* Every Ecclesiastical Person ordained by any Ecclesiastical Person before the 25th of *December* last past, being twenty four Years of Age, and having not renounced his Ordination, who hath been since the first of *January* 1642. presented to or placed in possession of any Ecclesiastical Promotion with Cure of Souls, and was on the said 25th of *December* in possession thereof, is hereby declared to be lawful Incumbent and Possessor of the same to all Intents. Saving to Patrons their Right of Patronage upon the next avoidance.

II. Every voluntary Surrender to the Patron or to any other late pretended Powers by an Incumbent shall be judged an Avoidance. No Presentation or Collation aforesaid, nor Confirmation by this Act shall amount to an Usurpation.

III. Every Ecclesiastical Person formerly dispossessed after lawful Presentation and Perception of Profits of any Ecclesiastical Living, not having subscribed any Petition to bring the late King to Trial, or by some open Act justified his Murder, or by Preaching, Printing, Writing, or constant refusal to Baptize, declared his Judgment to be against Infant-Baptism, shall be restored at or before the 25th of *December* next ensuing.

IV. Ministers heretofore ejected out of two or more Livings, shall be restored but to one at their Election, except they have formerly resigned any, and the right Patron put in another, in which case they shall not be restored to the Livings so resigned. The like of Ministers confirmed in any Benefice with Cure of Souls by this Act, which shall have more than one Living.

V. Where the Minister formerly Sequestred, shall declare his consent in Writing before the Commissioners appointed by this Act,

Act,

Act, there the present Possessor, not being scandalous and insufficient, shall be confirmed as rightful Incumbent. Ministers removed shall pay tenths not pardoned, and make Satisfaction for Dilapidations since the 29th of *September* last, &c. and pay all Fifths in Arrear last *Michaelmas*.

VI. If any declared by this Act to continue lawful Incumbent, have petitioned to bring the late King to Trial, or justified his Murder, or declared his Judgment to be against Infant-Baptism, (*ut supra*) such Minister shall not continue Incumbent, but his Living be void as if he were dead.

VII. Justices of Peace in their several Counties, or any five or more of them, near to the Church or Living to which any Minister is to be restored, or from which any is to be removed, not interested as Parties in the said Church, shall execute the Powers hereby granted, and determin all Differences touching the same before the 25th of *December* next: and all Suits in Law and Equity concerning the Premises shall be annulled.

VIII. Leases of Lands belonging to any sequestred Living, except the Glebe and Tythes, for three Lives and twenty one Years, at the ancient Rent, made before the 25th of *December* 1659. shall be as good as if made by the proper Incumbents.

IX. Clerks presented by the true Patrons to the Commissioners for approbation of publick Preachers, or Committee for plundered Ministers, who sate *Anno Dom.* 1659. and refused without lawful cause, shall be taken to be perfect Incumbents of such Benefice, unless such Patrons have presented others who are possessed, or such Clerks be settled in some other Benefice.

X. This Act shall not continue any Persons in any Living, who since the 25th of *December* last yielded up the Possession thereof, and are still out of Possession, or who by writing under Hand and Seal have agreed to yield it up.

XI. All that have paid Ecclesiastical Duties to any in Possession of any Benefice by preence of Authority, shall be discharged of the same against all Persons.

XII. The Rectory of *Ewelme* in *Oxfordshire* shall be restored to the *Regius* Professor in that University, and his Successors, according to a Grant by King *James*, and the Rectory of *Somersham* in *Huntingtonshire* to the *Regius* Professor in the University of *Cambridge*, and his Successors.

XIII. This Act shall not confirm or restore any Minister that refuses to take the Oath of Allegiance and Supremacy, to be tendered by the said Commissioners or three of them.

XIV. Persons presented by the King under the Great Seal between the first of *May* 1660. and the 9th of *September* in the same Year, shall enjoy such Benefices as if this Act had not been made.

XV. But they that on the 25th of *December* 1659. were Possessors, shall not be charged by such Presentees for any Profit received before the said 29th of *September*.

XVI. The

XVI. The Vicarage of *Kidlington* in *Oxfordshire* shall remain as formerly annexed to the Rectory of *Exeter* College in *Oxford*, and the Rectory of *Garlington* in the same County to the Presidentship of *Trinity* College in *Oxford*; and the Rectory of *Castor* in *Northamptonshire*, to the Bishoprick of *Eterborough*, and the Vicarage of *Cuesden* in *Oxfordshire* to the Bishoprick of *Oxford*.

XVII. This Act shall not confirm any that have printed or preached any thing against the Kings Right to the Crown: so as the same be proved by two Witnesses before the Commissioners, and so adjudged by them before the 25th of *December* 1660.

XVIII. If any adjudged to be removed shall not give in the Possession, the Commissioners or five of them shall grant their Warrant to the Sheriff, to put the Persons adjudged to be restored into Possession; and in default of such Warrant, the Sheriff of the County is required to give Possession.

XIX. This Act shall not confirm any that did appear in Arms to oppose the Restoring of the King and a free Parliament since the first of *August* 1659. so as the same be proved by two Witnesses before the Commissioners, before the 25th of *December* 1660, and so adjudged by them.

XX. This Act shall not confirm any Person in the Rectory of *Atton* in *Middlesex*.

XXI. All Peers of this Realm may within six Kalender Months from the first of *September* in this Year, present their Clerks to any Living to which they had right to present since the first of *January* 1642. notwithstanding any Lapse; unless where the King before the 9th of *September* in this Year, by Title of Lapse or otherwise shall have presented.

Monasteries, Abbies, Priories, Colleges, Free Chapels, Hospitals, Chantries, their Governors and Possessions, and also other Religious Persons.

I. *Marlb. 28. 52 H. 3.* If Wrongs or Trespasses be done to Abbots, or other Prelates of the Church, and they dye before Judgment given thereof, whether or no the Suit be commenced in their Life-time, yet their Successors shall have Actions to demand the Goods of their Church out of the Hands of such Trespassers.

II. The Successors shall also have a Writ to recover Seisin of their Lands intruded into in time of Vacation, and therein Damages shall be awarded them, as in Assises of *Novel Disseisin* is used.

III. *stat. 1. 3 E. 1.* The Peace of the Church and Realm shall be duly kept, and Religious Houses shall not entertain any at the Charge of the House, save only the Founders, &c. neither shall

shall any charge them, on pain of Imprisonment, to make Fine, and to be otherwise punished at the Kings Will.

IV. No Purveyance shall be made of a Prelate without his consent.

V. The Sheriff shall not ride with above five or six Horses, nor endamage Religious Persons, by lodging too often at their Houses or Manors.

VI. *Artic. Cleri.* 11. 9 *E.* 2. Religious Houses shall not be charged by Compulsion with Corodies, Pensions, Resort or taking of their Horses or Carts, upon the Pains ordained by the Statute of *West.* 2.

VII. *Stat.* 1 *E.* 3. *Stat.* 2. 10. There shall be no more Grants of Pensions, Prebends, Churches, or Corodies at the King's request, by Bishops, Abbots, Priors, Abbesses or Priorities.

VIII. *Stat.* 27 *H.* 8. 28. All Monasteries, Priorities, and other Religious Houses of Monks, Canons and Nuns, which have not above the clear yearly value of 200 *l. per annum*, are given to the King and his Heirs, to have and hold the same in as large and ample a manner as they enjoyed them; and all Grants thereof made or to be made by the King to others are confirmed: the Right of others having any Profit out of the same being saved.

IX. Fraudulent Conveyances made by the Governor of such Houses, within one Year next before the making of this Act shall be void: Howbeit all Leases upon the accustomed Rents, and Grants of the accustomed Offices, Fees or Corodies are saved.

X. All Ornaments, Jewels, Goods and Debrs, which they had the first of *March* 1535. or at any time since, are also given to the King.

XI. The King shall have the actual and real Possession of the said Houses without Inquisition of Office, so that he may lawfully grant them at his Will and Pleasure.

XII. Cells which are only Obediencers to the Abbies and Priorities dissolved by this Act, shall still remain undissolved notwithstanding this Act: The Right also of Founders, Patrons and Donors is saved.

XIII. *Stat.* 27 *H.* 8. 27. *pars inde.* Upon the Grant of Abbey Lands in Fee, a Tenure *in Capite* shall be reserved to the King, and also a yearly Payment of the tenth part of the yearly value mentioned in the Letters Patents.

XIV. *Stat.* 31 *H.* 8. 13. The King and his Heirs shall have all the Monasteries, Abbies, Priorities, Nunneries, Colleges, Hospitals, Houses of Friars, and other Religious Houses and Places, together with their Estates, which since the 4th of *February*, 27 *H.* 8. have been dissolved, suppressed, renounced, relinquished, forfeited, given up, or by any other means are come into the King's Hands, in as large and ample manner as the Governors thereof held them in Right of the said Houses.

XV. All

XV. All Religious Houses dissolved, and to be dissolved, together with the Revenues to them belonging, shall be in the actual Possession of the King.

XVI. These Abby Lands (except such of them as shall come to the King by Attainder of Treason) shall be within the Survey of the Court of Augmentations.

XVII. Here the Right of all others is saved; save only for Rent-Service, Rent-seck, and all other Services and Suits, which are excepted out of the said saving.

XVIII. Provided that all Leases of any such Religious or Ecclesiastical House, or of any Hereditaments thereunto belonging, granted within one Year next before the Dissolution thereof, which have not heretofore usually been demised, or whereof there was a former Lease in being, or whereupon such ancient yearly Rent is not reserved, as hath been usually paid for the same twenty Years next before the beginning of this Parliament, and also Wood-Sales made within one Year, as aforesaid, shall be void.

XIX. Also all Feoffments, Fines and Recoveries of such Lands (whereof the King was Founder) made, acknowledged or suffered by the Governors or Governesses thereof, without the King's Licence, within one Year next before such Dissolution, shall be void.

XX. The like Provision is made for making void Leases and Wood-Sales of Lands belonging to such Religious or Ecclesiastical Houses as are hereafter to be dissolved: Also all Feoffments, Fines, and Recoveries of such Lands (whereof the King is Founder) made, acknowledged or suffered by the Governors or Governesses thereof, shall likewise be void.

XXI. Leases for Years not exceeding twenty one, made a Year before this Parliament, or the Dissolution of such House, and whereupon the accustomed Rent is reserved, and where a former Term therein is not expired at the making of such Lease, shall be good, notwithstanding this Act: So also is a Lease for Life or Lives granted a Year before Dissolution to the old Tenant, or the former Lease for Life or Years being not expired, and the accustomed Rent being reserved.

XXII. Grants also for Life by Copy of Court-Roll, according to the Custom where the old Rent is reserved, shall be good.

XXIII. Leases inrolled, decreed or affirmed in the Court of Augmentations (albeit they be made within the Year) shall be good.

XXIV. Where any hath paid Money for Wood and by this Act is abridged from having his Bargain, he shall be relieved therein by the Chancellor and other Officers of the same Court, or any three of them, whereof the Chancellor to be one; and if any other hath taken the Wood, he shall make Satisfaction for the same to the Party grieved.

XXV. Grants

XXV. Grants to other persons by such Religious Persons, with the King's Consent and Licence under the Great Seal, shall be good: howbeit here the Right of others is saved.

XXVI. A Confirmation of the King's Exchanges and Purchases since the 4th of *February*, 27 *H. 8.* Howbeit here also the Right of all Persons but the Exchangees and Bargainees is saved, Rent-service, Rent-seck, and other Services excepted.

XXVII. The King's Letters Parents of Lands and other Hereditaments granted since the 4th of *February*, 27 *H. 8.* and within three years after the making of this Act, shall be sufficient, notwithstanding mis-recital, non-recital, mis-nomer, cause, consideration, or thing material to the contrary. Here also the Right of all others (save of the King, and the Governors and Governesses) is saved.

XXVIII. Such Lands, Parsonages appropriate, &c. belonging to the said Religious Houses, as before their coming into the King's Hands or Dissolution were discharged of Tythes, shall so continue.

XXIX. All Rents, Services and other Duties, saved to the King, notwithstanding this Act.

XXX. Such Monasteries, &c. as were heretofore exempt from the Jurisdiction of the Ordinary, shall from henceforth be within the Jurisdiction and Visitation of the Ordinary in whose Diocese they shall be situate.

XXXI. The Grant of the Abby of *Sbip-ton* in *Suffolk* is confirmed to the Duke of *Norfolk*, and the College or Chantery of *Cobham* in *Kent* to the Lord *Cobham*, notwithstanding this Act; the Right of others being saved.

XXXII. Stat. 37 *H. 8.* All Colleges, Free Chapels, Chanteries, Hospitals, Fraternities, Brotherhoods, Guilds and other Promotions made to have continuance for ever, and chargeable with First-fruits and Tenths, and also all the Mansion-houses, Manors, Lands, Tenements, Hereditaments, Rights, Members and Appurtenances unto them belonging, which between the 4th of *February*, 37 *H. 8.* and the 25th of *December*, the 37 of *H. 8.* were dissolved, relinquished, or otherwise extinct, other than such of them as now are or were in the King's Possession, and have been granted by the King's Licence, or recovered by a former Right or Title, shall be adjudged in the actual Possession of the King, and of his Heirs and Successors, in as large manner as the Governors, Incumbents, Patrons, Donors, Founders of them, or any of them, have since the said 4th day of *February*, 27 *H. 8.* enjoyed the same, or do now enjoy them.

XXXIII. All Covenants, Bonds, and Grants of any Rent or Annuity, made to any Chantery Priest, or other having any of the said Promotions, in Consideration of any Bargain, Grant, or other Assurance of the said Promotions, or any part thereof, shall be void.

XXXIV. Every Person being in Life, which for any Sum of Money hath sold any of the said Promotions, shall repay (upon request)

request) unto the Bargainee, his Executors or Assigns, the Money so received: and for non-payment thereof, the said Bargainee shall maintain an Action of Debt against them that so sold the same unto the said Bargainee or his Testator; in which Action no Effoign, &c. shall be allowed.

XXXV. All Gifts, Grants, Surrenders, and other Assurances made to the King of any of the said Promotions, between the said fourth of *February* and the 25th of *December*, shall be good against the Bargainers, their Successors and Assigns, and also against their Founders, Donors and Patrons, their Heirs and Successors.

XXXVI. All Letters Patents made by the King of any of the said Promotions, or any part thereof, and all Assurances thereof made with King's assent, by any having such Promotions, shall be good against the Grantors, their Heirs and Successors, and against their Founders, Donors and Patrons, their Heirs and Successors.

XXXVII. The King during his Life, may direct Commissions by Warrant to be signed by his own Hand to such Persons as he shall think fit, giving them power to enter into so many of the said Promotions, chargeable with First-fruits and Tenths, as shall be expressed in such several Commissions, and to seize and take the same into the King's Possession, to have and to hold the same to him, his Heirs and Successors.

XXXVIII. The Commissioners (or any two of them) may enter into any part in the Name of the whole; and by such their Entry and Seizure, albeit the Lands be in several Mens Occupation, or lie in several Counties, the King shall be adjudged in the actual possession thereof, without any Inquisition, Office, or other Entry.

XXXIX. The Commissioners, or any two of them, after such Seizure made, shall certify and return every such Commission, making mention in Writing of their doing therein according to the Words and Authority thereby given them.

XL. All such Chantries and other Promotions aforesaid (seized and to be seized, as aforesaid) shall be within the Order and Survey of the Court of Augmentations; and all Suits tending to the detriment of the Manors, Lands and other Hereditaments belonging to them, shall be also heard and determined in that Court: Howbeit Suits between Party and Party concerning the said Manors, Lands, &c. shall be heard and determined by the Common Law and Statutes of this Realm, and not in the same Court.

XLI. All Assurances made of any Inheritance or Free-hold without the King's Assent by any Chantery Priest, or other Governor having any of the said Promotions, being not made to the King, shall be void, as well against the King, as against the Successor of such Chantery Priest, or other Governor.

XLII. The

XLII. The Right of others is saved, other than the Governors, and their Founders, Patrons or Donors, their Heirs and Successors, and other than such Persons, their Heirs, Successors and Assigns, as claim any Free-hold or Inheritance by Conveyance from any such Governor, without the King's assent thereunto.

XLIII. If any such Governor within one Year before the 23^d of November in the 27 H. 8. hath made, or shall hereafter make a Lease for Life or Years of any such Promotion, or any part thereof, which was not for the most part of twenty Years before such Lease let to Farm, but in their own Occupation; or within the said time hath made, or shall hereafter make any such Lease, in reversion, the old Lease not being then expired; or within the said time hath made, or shall hereafter make any such Lease, without reserving the accustomed yearly Rent paid for the same twenty years next before the said 23^d of November; or have made any Wood-sale, the Wood being yet standing; that then every such Lease and Grant shall be void.

XLIV. This Act shall not extend to any Lands, or other Hereditaments, whereof such Governors now are or hereafter shall be seized or possessed to their own use, not united or annexed to their Promotions; nor to Lands or Pensions granted or to be granted by the King unto such Governors (for Life only) under the Great Seal, or the Seal of Augmentations.

XLV. The Governors from whom the King (by force of this Act) take any Lands, &c. shall be proportionably abated for the same in their Tenths and First-fruits.

XLVI. Every Person having an Annuity or Rent issuing out of any such Promotion shall still enjoy them notwithstanding this Act: Also he that hath bought and paid for any Wood shall have his Money again, or the same Wood.

XLVII. All Payments for the First-fruits happening after such Seizure, as aforesaid, are discharged.

XLVIII. All Rents, Services, Issues and Profits payable out of such Promotions into the Exchequer, shall be still continued, notwithstanding this Act.

XLIX. Stat. 1 E. 6. 14. All Colleges, Free Chapels and Chantries *in esse* within five years before the first day of this Parliament, which were not in the actual and real Possession of the late King, or of E. 6. nor excepted in the said Statute of 37 H. 8. 4. (other than such as by the King's Commission shall be altered) and all Manors, Lands, Pensions, Hereditaments, and things belonging to them, and all Manors, Lands, &c. given or limited for the finding of a Priest to have continuance for ever, and wherewith a Priest hath been maintained within the said five Years, (which were not in the actual possession of H. 8. or E. 6.) and all Rents, Profits and Emoluments within the said five years, employed towards or for the maintenance of a Stipendary Priest,

intended by any Act or Writing to have continuance for ever, shall be adjudged, and be in actual and real Possession of the King, his Heirs and Successors, without any Office or other Inquisition, in as large manner as such Priest, or other Governors or Incumbents thereof, at any time within the said five years enjoyed the same.

L. All Manors, Lands, &c. appointed for the maintenance of such Priests, to have continuance for a term of years not expired, are also given to the King during such term only, and no longer; and then it shall be lawful for the Reversioner to enter without Livery, *Ouster le main*, Petition, or other Suit to be made to the King for the same.

LI. The King shall also have all Lands, Tenements, Rents and other Hereditaments given for the maintenance of any Anniversary or Obit, or other like intent, or of any Light or Lamp in any Church or Chapel, to have continuance for ever, which hath been so maintained within five years above limited.

LII. Where an Anniversary, Obit, Light, Lamp, or other like, is kept or maintained out of part of the Issues of any Lands, &c. the King shall have so much yearly Rent issuing out of the same Lands, as such Charge shall amount unto in any one year, within the said five years, to be paid yearly by even Portions, at *Michaelmas* and *Lady-day*, into the Court of Augmentations, or such other Court as the King shall appoint; and upon Non-payment thereof, it shall be lawful for the King, his Heirs and Successors, to distrain for the same; and if there be no Distress to be had, and the Rent be unpaid by the space of a Month after it should be paid, in such case the King shall seize part of the Lands of like Value to answer the Rent, to have and hold them to him, his Heirs and Assigns, for so long time as he so was to have the Issue out of the said Lands.

LIII. The King, his Heirs and Successors, shall have all Sums of Money, Profits, Commodities and Emoluments, appointed to have Continuance for ever, which in any one year within the said years, have been employed by any Corporation, Guild, Fraternity, Company or Fellowship of any Mystery or Craft, or by any Governor or Governors, towards the maintenance of any Priest, Anniversary, Obit, Lamp, Light, or the like, to be paid yearly as a Rent-charge at *Michaelmas* and *Lady-day*, by even Portions, in the said Court of Augmentations, or in any other Court that the King shall appoint.

LIV. The King hath power to distrain the said Corporations, Guilds, &c. for the said Money, which shall be in the actual Possession of the King, without any Inquisition or Office.

LV. The King shall have to him, his Heirs and Successors, all Fraternities, Brotherhoods and Guilds, and all their Lands, &c. other than those above-mentioned, and they shall be also in the actual Possession of the King, without any Inquisition or Office.

LVI. The

LVI. The King may direct Commissions to such Persons as he shall think fit, which Commissioners, or any two of them, shall have power to survey all Lay-Corporations, Guilds, Fraternities, Companies and Fellowships of Mysteris or Crafts incorporate, and all other Fraternities, Brotherhoods, and Guilds within the limits of their Commission, and also all Evidences, Compositions, Books of Accompts, and other Writings, thereby the better to discover what Money or other things were paid for the finding of a Priest, Anniversary, &c. and likewise to enquire what Manors, Lands, Tenements, Rents, and other Hereditaments are given to the King by force of this Act.

LVII. The Commissioners, or any two of them, have Power, where Guilds, Fraternities or Chantry Priests having been *in esse* in *Michaelmas* last to the first day of this Parliament, ought by their Foundation to have kept a Grammar-School or Preacher, to assign Lands to continue in Succession of a School-master or Preacher for ever, towards the keeping of a School and Preaching, and for such other good Purpose as to them shall seem meet: and likewise to make a Vicar to have perpetuity for ever in every Parish, being the first day of this Parliament, a College, Free-Chapel or Chantry, united unto any of them, and also to endow such Vicar sufficiently, without any Licence or Grant from the King, Bishop, or other Officers of the Diocese.

LVIII. These also have Power (in great Towns, where more Priests are necessary) to assign such Lands for the Maintenance of one or more Priests there, as they shall think fit; and also to give Rules for the Service, Use and Demeanor of such Priests and School-masters, as aforesaid; and to set down by what Name or Names they shall thenceforth be called.

LIX. The Commissioners shall also assign such yearly Pensions to every Governor, Fellow and Servant of every such College, Free-Chapel or Chantry, to continue during their several Lives, as to them shall seem fit.

LX. The Commissioners shall enquire what Money or other Profit any poor Person enjoyed within five years before this Parliament, and give order for the payment thereof, and assign Lands for that purpose, that it may have Continuance for ever; and also shall appoint Lands to Fraternities, Brotherhoods and Guilds for the maintenance of Piers, Jutties, Walls and Banks.

LXI. The Receivers of the respective Counties where such Pensions are allowed by the Commissioners, shall readily pay them without Fee, and shall be allowed theirs upon their Account.

LXII. The Commissioners shall make Oath that they shall beneficially execute their Commissions towards the Deans, Masters, Wardens, Provosts, and other Incumbents aforesaid, as also towards the Poor, and the Maintenance of Piers, Jutties, &c. And all Orders by them, or any two of them, certified into the Court

for Augmentations, or other Court to be assigned by the King, shall be as effectual as if they had been ordained by the Parliament.

LXIII. Howbeit they shall not allow more to any Dean, Master, &c. than they enjoyed before; and when he is promoted to better means, it shall cease.

LXIV. The Commissioners or two of them at least, shall within one year after the Commission to them directed, make certificate of such Assignments as they have made, on pain of one hundred Pounds.

LXV. The King shall have all the Goods of every College, Chantery, Free Chapel, Chantery or Stipendary Priest, belonging to the Furniture or Services of their several Foundations, and superstitiously abused: Howbeit their Debts shall be paid by the King.

LXVI. This Act shall not extend to any College or Hall in the Universities, the Free Chapel at *Windsor*, the Colleges of *Winchester* and *Eaton*, *Newton* Chapel in the Isle of *Ely*, nor to any of the Lands belonging to them; nor to any Chapel of Ease, nor to any Chapel whereunto only a Churchyard, a little House or Close doth belong, nor to any Cathedral where there is a Bishop's See, nor to their Lands; other than such Chanteries, Obits, Lights and Lamps used within such Cathedrals within five years before this Parliament, and unto which this Act doth extend.

LXVII. The King may during his life, alter the Names of such Chanteries and their Foundations.

LXVIII. The Right of all Persons (except only the Governors, Incumbents, &c. of such Chanteries, &c. their Founders, and the Heirs and Successors of every of them, also the Grantees of any of the Premises to the uses aforesaid, or to the use of any such Chantery, &c. without the King's Licence) is saved. Likewise all Services, Rents, Annuities, Profits and Offices of Right due to the Founders, Donors, &c. and Leases made before the beginning of this Parliament, whereupon the accustomed Rent is reserved, or saved.

LXIX. The Bargainor of any of the Premises, or his Executors, shall repay unto the Bargainee, his Executors or Administrators, the Money received upon Sale thereof, within three Months after request thereof made; and upon non-payment thereof such Bargainee shall recover it by Action of Debt, wherein no Effoign, &c. shall be allowed.

LXX. The Premises given to the King by this Act, together with their Revenues shall be within the Survey of the Court of Augmentations, or such other Court as the King shall appoint.

LXXI. All Leases made by the said Governors, Incumbents, &c. since the 23^d of *November* 37 *H. 8.* whereupon the old Rents are reserved, shall be void, but all others shall continue in force.

LXXII. This

LXXII. This Act shall not extend to any Lands whereof such Governors Incumbents, &c. are seized or possessed to their own uses, and not enacted to such Chanteries, Free Chapels, &c. nor to any Manors, Lands, Pensions, &c. not parcel of the Premises granted by H. 8. or granted or to be granted by E. 6. to any of the said Governors, Incumbents, &c.

LXXIII. Every person which had any Rent or yearly profit out of the Lands of any Chantery, &c. shall still enjoy them notwithstanding this Act.

LXXIV. All Payments of First-fruits to be made by any such Governor, Incumbent, &c. after the beginning of this Parliament shall be remitted.

LXXV. Payments answered yearly into the Exchequer out of the Premises shall be still continued.

LXXVI. All Assurances made of the Premises by H. 8. or E. 6. or by either of their Licences, or to either of them, by any such Governor, Incumbent, &c. shall be good; the right of others being saved.

LXXVII. This Act shall not extend to make good any Grant made by any Parson or Vicar; nor to prejudice the Lord Cobham, or any Corporation, or the Chantery of *Attleborough* in *Norfolk*.

LXXVIII. All such Chanteries, Free Chapels, &c. given to the King by this Act, as are within the Duchy of *Lancaster*, (together with their Lands, &c.) shall be within the Survey of the Duchy-Court; and all Commissions to be issued out concerning them, shall be under the Great Seal, but shall be certified into the said Duchy.

LXXIX. The King may impower Commissioners to alter the nature and condition of Obits to better uses; and none shall take advantage of any Remainder, Use or Condition, for not finding of a Priests Obits, Anniversary, Light or Lamp.

LXXX. This Act shall not extend to give Copyhold Lands to the King, but the said Incumbents shall have them during their lives towards their Maintenance.

LXXXI. This Act shall not extend to Lands recovered from a Chantery Priest by a good Title without Fraud.

LXXXII. All Letters Patents made by H. 8. and E. 6. of Chantery Lands and other Premises are confirmed.

LXXXIII. Stat. 1 & 2 P. M. 8. *pars inde*. None shall molest any person for any Abbey-lands, in pain to incur a *Premunire*, *Vide 1 Eliz. 1.*



Money.

* I. The Statute of Great Money, *incerti temporis*. None upon grievous forfeiture shall expend, utter or receive any Money or any other Coin than *English*, *Scotch*, or *Irish*, nor import more

Money into this Realm than may serve him for his Expences, nor Land, (unless forced by Tempest) at any other than the known Ports, and there shall shew his Money to such Person as the King shall assign, without concealment, in pain to forfeit his body and Monies.

II. None shall hide his Money within Cloaths, Fardels, Bales or otherwise, in pain that the Finder thereof shall have 4 *d.* for every Pound so found, and the King the rest. And the Body of him in whose Hands any false or Clipt Money shall be found, shall be arrested, until he find Surety, if he be a suspicious Man. Also he that finds any other Coin than *English, Irish or Scotch*, shall break the same, and restore the pieces to the Party that owns it, and none shall oppose him, in Pain of great Forfeiture: but false Money shall be pierced without restoring it.

III. Because Poor People cannot well discover light Monies, they shall receive and pay them by Weight of five of even Weight by the Tumbrel, to be delivered unto them by the Warden of the Exchange, and marked by the King's Mark: and it shall be lawful for any Man to pierce Money not weighing the Tumbrel. Howbeit 4 *d.* shall be allowed for every Pound Weight (*being then 20 s.*) and so it be only worn 6 *d.*

* IV. The Statute of small Money, 20 *E.* 1. No Merchant or other shall import into this Realm any Money clipt or counterfeited, or traffick therewith, in pain for the first time to forfeit the Money; for the second, the Money and all his Goods; for the third, his Body and Goods.

V. Others which have clipt Money shall pierce it, and carry it to the King's Exchange to be new coined.

* VI. Stat. 9 *E.* 3. 1. None (without the King's Licence) shall export any Gold or Silver in Money or Plate, in pain to forfeit the same.

* VII. Cap. 2. None shall import into any of the King's Dominions any false or counterfeit Money, in pain to forfeit the same: Howbeit, any Person (Stranger or other) may bring to the King's Exchange good Money or Bullion, and receive convenient Exchanges for the same.

* VIII. Cap. 3. Small Money (*viz.* Half-pence or Farthings) shall not be molten into Vessel or any thing else by any Goldsmith, in pain to forfeit the Money so molten, and to suffer Imprisonment until he hath paid the one half thereof.

IX. Cap. 4. Black Money shall not be current in this Realm.

X. Cap. 5. The Prosecutor against the Offenders of this Statute shall be allowed a fourth part of the Forfeiture.

XI. Cap. 6. There shall be no defrauding of this Statute.

XII. Cap. 9. Search shall be made for Money exported, and false Money imported.

XIII. Cap. 10. The Searchers shall have the fourth part of the Forfeiture.

XIV. Cap.

XIV. *Cap. 11. Hostlers (viz. Inn-keepers and Victualers)* shall be Sworn to Search their Guests.

XV. *Stat. 18 E. 3. Stat. 2. 6.* Money shall be made, and Exchanges ordained where the King shall please.

XVI. *Stat. 25 E. 3. Stat. 5. 13.* Money shall not be impaired by Weight or Allay.

XVII. *Stat. 25 E. 3. Stat. 5. 20.* Plate of Gold and Silver shall be received into the King's Mint by Weight, and not by Number; and so also shall the Money be Returned.

XVIII. *Stat. 38 E. 3. Stat. 1. 2.* None shall export Gold or Silver in Money or Plate but Victuallers of Fish, who fish for Herring or other Fish, and such as import Fish in Small Vessels, who meddle not with other Merchandize; but not otherwise than as the Chancellor shall think fit.

XIX. *Stat. 5 R. 2. 2.* None shall export Gold or Silver. *But Quære whether this Statute be not Repealed by 4 Jac. 1.*

XX. *Stat. 17 R. 2. 1.* The Statute of 9 E. 3. *cap. 3.* shall be duly executed, and none shall melt Groats or Half-Groats into Vessels, upon the pain contained in that Statute.

XXI. Foreign Coin shall not be current in *England*, but shall be brought to the Bullion, there to be molten into the Coin of *England*, in pain of Forfeiture thereof and Imprisonment; neither shall there be any Exchange of *English* Money for *Scotch* Money, upon the like pain.

XXII. *Stat. 2 H. 4. 5.* If the King's Searchers find any Money or Plate in the Custody of any ready to pass beyond Sea, or in any Ship which is to go beyond Sea, it shall be Forfeited to the King, save the Parties reasonable Expences, which he shall lose, unless he presently confess the Truth.

XXIII. Provided that Merchant-strangers shall Sell their Merchandize in *England*, and do imploy half the Money received for the same upon other Merchandize of *England*, may by the King's Licence export the other half thereof without prejudice.

XXIV. *Stat. 4 H. 4. 10.* A third part of all Silver-Money which shall be brought to the Bullion, shall be coined into Half-pence and Farthings, of each alike, and the Coiner shall make Oath so to do.

XXV. No Goldsmith shall melt Half-pence or Farthings, in pain to Forfeit four times so much as he so melts.

XXVI. *Stat. 5 H. 4. cap. 4.* Against Multiplication of Gold or Silver. *Repealed per Stat. 1 W. & M. cap. 30.*

XXVII. *Stat. 11 H. 4. 5.* Galley Half-pence shall not be current in *England*, and all Statutes formerly made concerning Money are confirmed.

XXVIII. *Stat. 13 H. 4. 6.* The Statute of 11 H. 4. 5. and all other Statutes formerly made concerning Money, shall be duly put in Execution.

XXIX. *Stat.*

XXIX. Stat. 3 H. 5. Stat. 1. It shall be Felony to utter *Scotch* Money in Payments. *But this Statute is now obsolete, and out of use.*

XXX. Stat. 3 H. 5. 6. It shall be Treason to clip, wash or file Money. *Howbeit this Statute is repealed by 1 Ed. 6. 12. and 1 M. Sess. 1. But the same again made Treason by 5 El. 12. which see in Treason.*

XXXI. Stat. 3 H. 5. 7. Justices of Assize and of Peace have Power to hear and determine Offences concerning false Money.

XXXII. Stat. 9 H. 5. 11. No *English* Gold shall be received in Payment but by the Kings's Weight.

XXXIII. Stat. 1 H. 6. 2. The King's Council may assign Money to be coined, and Exchanges to be holden, in as many Places as they please.

XXXIV. Stat. 2 H. 6. 6. No Gold or Silver shall be exported, in pain to Forfeit the Value thereof, save only for the Ransom of Prisoners, the reasonable Costs of Soldiers passing beyond Sea, and Money to be expended for certain *Scotch* Commodities, so as they be done by the King's Licence.

XXXV. Merchant-aliens shall find Sureties in the Chancery, every Company for them of their Company, that none of them shall export any Gold or Silver, in pain to Forfeit the same, or the Value thereof, whereof the Discoverer (unto the Treasurer or King's Council) shall have a fourth Part.

XXXVI. Stat. 2 H. 6. 9. The Money called *Blancs* is wholly prohibited.

XXXVII. Stat. 2 H. 6. 12. The Mint-master shall keep his Allay in the making of white Money according to his Indenture, and shall receive Silver brought to the Mint at the true Value it is worth according to the same Allay, in pain to pay to the Party his double Damages.

XXXVIII. The King's Assayer (who ought to be a Person indifferent betwixt the Mint-master and the Merchant) and the Comptroller of the Mint shall be present when any Bullion is brought to the Mint, to the end the Assayer may set the true Value thereof, in case any Variance happen betwixt the Master and the Merchant.

XXXIX. The Comptroller's Office is every two Days faithfully to try all Silver brought in or carried out of the Mint, and that without Fee, (save what he receives of the King) in pain of double Damages: And he ought to be a credible Man, and expert in the Mystery of Goldsmiths, and of the Mint.

XL. The Mint-master and Exchanger shall convert into Coin all Gold and Silver brought to the Mint or to the Exchange according to the Form of the said Indenture, upon the pain therein contained.

XLI. Stat. 19 H. 7. 5. All Coins of Gold and Silver current in this Realm shall so continue at the Value they were coined for, albeit

albeit some of them be cracked, so as they be not clipped or otherwise diminished, reasonable wearing excepted.

XLII. If any refuse any lawful Coin in Payment, he shall be compelled by the Officer of the place to receive it, and also imprisoned, or otherwise punished, as such Officer shall think fit: And if any Sheriff or other Officer refuse it, he shall be compelled to take it by a Justice of Peace, and be otherwise punishable at the discretion of such Justice.

XLIII. It shall be lawful for the Owner of Money clipped, or otherwise impaired, to exchange it at the Mint, or to convert it into Plate or Bullion, or otherwise to dispose thereof for his best Profit.

XLIV. To avoid clipping of Silver Coins hereafter, the King appointeth new ones to be made with a Circle about the outermost part thereof: And for Gold Coins, that they should have the intire Scripture stamped without lacking any part thereof; to the end that by the King or Scripture it may be discerned when they are clipt, or any way diminished; and the Warden and Controller of the Mint are to see them thus ordered before they pass from the Mint, in pain to Forfeit their Offices, and to be Fined at the King's Will.

XLV. None shall transport any Money, Plate or Bullion, (above 6 s. 8 d.) into *Ireland*, nor convey any of them into any Ship or other Vessel, on pain to Forfeit them, and to be Imprisoned and Ransomed at the King's Will.

XLVI. It shall be lawful for any to Seize any *Irish* Coin (above 3 s. 4 d.) brought into this Realm, and to deliver it in at the Mint, for which the Master shall presently pay him half the Value thereof to his own Use.

XLVII. Stat. 14 & 15 H. 8. 12. The Coiners of every hundred Pounds-worth of Gold brought to the Mint to be coined, shall make 20 l. thereof in Half Angels, (then called Pieces of 4 d.) and of every hundred Pounds-worth of Silver 50 l. in Groats, 20 l. in Two-pences, 20 l. in Pence, 10 Marks in Half-pence, and 5 Marks in Farthings; in pain that the Mint-master shall Forfeit 10 l. to be divided betwixt the King and the Prosecutors.

XLVIII. The Half-pence and Farthings shall have several Stamps, to the end they may be the better distinguished by the common People.

XLIX. When the Value of the Plate or Bullion is under 100 l. the Owner thereof shall receive a Tenth part in Half-pence and Farthings.

L. This Act shall not be prejudicial to the Coiners and Mint-masters in *York*, *Durham*, or *Canterbury*.

LI. Stat. 14 El. 3. If any shall falsely forge or counterfeit any Coin of Gold or Silver not current in this Realm, he and his Procurers, Aiders and Abettors, (after Conviction) shall be Imprisoned, and forfeit their Lands and Goods, as in case of Misprision of Treason.

LII. Stat.

LII. Stat. 13 & 14 Car. 2. cap. 31. None shall melt the Silver Money of this Realm on pain to Forfeit it, and double the Value, one half to the King, the other to the Informer : the Offenders, if Freemen, or privileged Persons of Cities or Corporations, shall be disfranchised and made incapable of exercising any Trade by Virtue of the Privilege of the said City or Corporation; if not, they shall be Imprisoned six Months.

LIII. Stat. 18 Car. 2. cap. 5. Whosoever shall bring any Gold or Silver to the Mint shall receive the same Weight in Coin, or so much more or less as the same shall be finer or coarser than Crown Gold or Standard Silver.

LIV. All Gold and Silver delivered into the Mint shall be assayed, coined and delivered out according to the Order and Time of bringing it in : And if any undue Preference be made by the Officers of the Mint, they shall be liable by Action of Debt, or on the Case, to pay the Value of the Gold or Silver brought in and not Entred and Delivered according to this Act, with Damages and Costs to the Party grieved, and be forejudged their Place; and if by their Deputies and Clerks without their Privy, then such Deputies and Clerks only shall be liable, as aforesaid, and incapable of serving or bearing any Office in the Mint.

LV. But Monies may be delivered out to those that Demand the same upon subsequent Entries, before others that Demand not theirs in Course, so as there be so much left as will satisfy them.

LVI. The Master-worker of the Mint shall give to the bringers in of Gold and Silver, a Bill under his Hand of the Weight, Fineness and Value thereof, with the Day and Order of its Delivery into the Mint.

LVII. No Confiscation, Seizure, Attachment, Stop or Restraint shall be made of any Gold or Silver brought in to be Coined upon any Pretence whatsoever.

EVIII. And whereas it cannot be expected that the Expence of Coinage should be born by the King, there shall be paid to the Officers of the Customs for every Tun of Wine, Vinegar, Cyder, or Beer imported, besides other Duties, 10 s. and for every Tun of Brandy-wines or Strong-waters, 20 s. and so proportionably for a greater or lesser Quantity, which shall be kept apart and paid quarterly into the Exchequer, there also to be kept distinct, and paid out according to the direction of this Act, without Fee.

LIX. In case of Non-payment, the said Liquors shall be liable to such Penalties as are appointed by the Acts for Tonnage and Poundage, and for Frauds.

LX. For what of the said Commodities shall be transported within a Year after Importation, the Duty paid by this Act shall be repaid.

LXI. No Monies payable by this Act shall be applied to any other use than defraying the Charge of the Mint, nor issued out of the Exchequer but by Warrant of the Lord Treasurer, and Under-Treasurer,

Treasurer, or Commissioners of the Treasury, to the Masters and Workmen in the Mints, mentioning that they are for the Services aforesaid.

LXII. There shall not be issued in one Year for Fees of Officers of the Mint, and all necessaries for Coining, above Three Thousand Pound, the rest to be employed towards the Cost and Charge of assaying, melting down, and buying in Gold and Silver to Coin.

LXIII. This Act shall continue to the 20th of *December* 1671. and to the end of the first Sessions of Parliament next after.

LXIV. *Stat. 25 Car. 2. cap. 8.* Continued for seven Years from the end of this Session, and to the end of the first Session of Parliament then next ensuing.

LXV. The Monies collected by virtue of this Act shall be paid to such Officers as receive the Customs, and by them to the Receiver-General of the Customs, whose Acquittance shall be to them a Discharge, and a Certificate by them obtained from the Comptroller-General of the Accompts of the Customs, with allowance of the Commissioners of the Customs, or three of them, shall free them from all Accompts for the same.

LXVI. If the Customs be farmed, the said Monies shall be paid in the respective Ports, to such as the Lord Treasurer or Commissioners of the Treasury shall appoint, whose Acquittance shall be a Discharge, and a Certificate from such Persons shall free them from all Accompts.

LXVII. The said Monies shall be levied at the Importation of the Commodities charged, under the same Penalties as for Non-payment, or Defrauding the King of his Customs upon the said Commodities.

LXVIII. The said Monies shall be kept apart, and paid monthly at least from the Officers of the Port of *London*, and quarterly from those of the Out-ports to the Receiver-General of the Customs; and when there is none, to such other as shall be appointed to receive the same; by them likewise to be kept distinct, and be paid once a Month into the Exchequer; there also to be kept apart.

LXIX. The Lord Treasurer or Commissioners of the Treasury may allow out of the said Monies such Salaries as they think meet to the said Officers, so as they exceed not 12 *d.* in the Pound of the Money so collected.

LXX. *Stat. 1 Jac. 2. cap. 7.* The two last mentioned Acts revived and continued for seven Years from the 1st of *August* 1685. and to the end of the first Session of Parliament then next following.

LXXI. The said two Acts continued *per Stat. 4 & 5 W. & M. Sess. 4. cap. 24. Sect. 3.* from the 13th of *February*, 1692. for seven Years.

LXXII. Continued *per Stat. 12 W. 3. cap. 11.* from 1 *June* 1701. for seven Years, and from thence to the end of the next Sessions of Parliament following.

Monopolies.

I. Stat. 21 Jac. 1. cap. 3. All Monopolies, and all Commissions of or for the sole buying, selling, making, working or using of any thing within the King's Dominions, or any other Monopolies, or of Power, Liberty or Faculty to dispense with any others, or to give Licence or Tolleration to do, use or exercise any thing against the Tenor of any Law or Statute, or to give or make any Warrant for such Dispensation, Licence or Tolleration, or to agree or compound for any Penalty or Forfeiture limited by any Statute, or for any Grant or Promise of any Benefit or Profit of any such Penalty, Forfeiture or Sum of Money, before Judgment thereupon had; and all Proclamations, Inhibitions, Restraints, Warrants of Assurances, and other matters and things whatsoever any way tending to the erecting, strengthening or countenancing thereof, are contrary to the Laws of the Realm, and shall be void and of none effect.

II. All the matters and things aforesaid shall be examined, heard, tried and determined by the Common Laws of the Realm, and not otherwise: And all Persons are prohibited to use, exercise or put them in ure.

III. The party grieved by pretext of any of the matters or things aforesaid, shall recover (in one of the Courts at *Westminster*) treble Damages and double Costs; in which Suit no *Essoign* or other Delay shall be allowed, nor any more than one Imparlance: And if any Person, after notice given that such Action depending is grounded upon this Statute, shall cause it to be stayed or delayed before Judgment by any Order, Warrant, Power or Authority, (save only of the Court where it is depending) or shall, after Judgment had, cause or procure the Execution thereof to be staid or delayed by colour or means of any such Order, Warrant, Power or Authority, save only by a Writ of Error or Attaint, he or they so offending shall incur a *Framunire*.

IV. Letters Patents of new Manufactures heretofore granted for twenty one Years or under to the Inventors thereof, where they are not contrary to Law, or any way prejudicial to the Common-wealth, are saved; so also are such as have been heretofore granted for more than twenty one Years, good for twenty one Years from the date of their Patent, notwithstanding this Statute.

V. Neither shall this Act extend to Grants of new Manufactures hereafter to be made to the Inventers thereof for fourteen Years or under, being not contrary to Law, or prejudicial to the Common-wealth; nor to Grants heretofore confirmed by Act of Parliament, so long as such Acts continue in Force: Nor to any Warrant of Privy Seal granted, or to be granted to the Justices of the King's Bench or Common Pleas, to the Barons of the Exchequer, Justices of Assize, of Oyer and Terminer, Goal-delivery or Peace,

Peace, or other Justices, to compound for the Forfeiture of any Penal Statute depending in Suit before them, after Plea pleaded by the Party Defendant.

VI. This Act shall not be prejudicial to *London*, or any other Corporation, for any Grant made them concerning their Customs; nor any Corporation, Company or Fellowship of any Art, Trade or Mystry, nor to any Company or Society of Merchants.

VII. Neither shall it extend to any Grant of Privilege for Printing, digging or making or compounding of Salt-Petre for Gun-Powder, or casting or making of Ordnance, or Shot for Ordnance; nor to any Grant of any Office now in being, other than such as are decreed by the King's Proclamation; nor to the Liberties of *Newcastle* concerning Sea-coals; nor to licensing of Taverns, so the King receive the benefit; nor to the Patent granted to Sir *Robert Mansfield* for making of Glasse; nor to that granted to *James Maxwell* Esq; for Transporting of Calve-skins; nor to that of *Abraham Baker* for making of Salt; nor to that of *Edward Lord Dudley* for melting of Iron Ewer, and making the same into Cast-works.

Mortdancestor.

I. *Malbridge*, 16. 52 H. 3. If the Lord will not render unto the Heir his Land (when he comes to age) without Plea, the Heir shall recover his Land by Assise of *Mortdancestor*, together with all his Damages.

II. If the Heir at his Ancestor's death be at full Age, and then seised of the Inheritance, the Lord shall not out him, nor meddle with any thing there, but shall only take simple Seisen thereof, that he may be known to be Lord; and if the Lord shall then put him out, whereby he is driven to his Writ of *Mortdancestor* or *Cofinage*, he shall recover his Damages as in a Writ of *Novel disseisin*.

III. The King shall have *Primer Seisin* of Lands holden in chief, as in times past; neither shall the Heir or any other intrude into the Inheritance before he have received it out of the King's Hands, as formerly hath been used.

IV. This Statute is to be understood of Lands accustomed to be in the King's Hands by reason of Knight service, Serjeanty, or right of Patronage.

V. Statute of *Gloucester*, 6. 6 E. 1. If one die having many Heirs, of whom one is Son or Daughter, Brother or Sister, Nephew or Niece, and the other be a farther Degree off, the Heir shall recover by a Writ of *Mortdancestor*.

Mortmain.

I. *Magna Charta*, 36. 9 *H.* 3. If any shall give Lands to a Religious House, the Grant shall be void, and the Land Forfeit to the Lord of the Fee.

II. *Statute of Gloucester, alias de Religiosis*, 7 *E.* 1. If Lands be any way alienated in *Mortmain* to a Religious Person or other, the King or other Lord immediate may enter within a Year after such alienation; and if such Lord neglect it, the next Lord to him may enter within Half a Year after; and if all the mean Lords (being of full Age within the four Seas, and out of Prison) neglect to do it, after the Year the King may enter.

III. *West.* 2. 32. 13 *Ed.* 1. Ecclesiastical Persons being debarred by the former Statutes to obtain Lands in *Mortmain* by Alienation, endeavoured fraudulently to obtain them by default in a Suit: And therefore in such case it was ordained by this Statute, that it should be enquired by the Country whether or no the Demandant had a just Title thereto, and if so, then he should recover Seisin, but if otherwise, the Lord of the Fee should enter, as aforesaid. And by this Statute each mean Lord hath a full half Year given him after the Lord next before him, until it come to the King. And here also the Lords, as also the King, are allowed their Challenges.

IV. After the Judgment given, the Land shall remain clear in the King's Hand until it be deraigned by the Demandant, or some other Chief Lord, and the Sheriff shall be charged to answer for it in the Exchequer.

V. *Ordinatio de perquirendis Libertatibus*, 27 *E.* 1. To obtain Licence to make a Park, or to amortize Lands, the Writ *Ad quod damnum* shall issue out of the Chancery to enquire concerning the same.

VI. Here Inquisitions of Lands that shall be found (by Extent) to be worth yearly more than 28*s.* shall be returned into the Exchequer, and there the Parties shall make Fine for the Amortizements, and for the Park, if the Inquisition pass for them; and afterwards the Chancellor (or his Deputy) shall have order to do his Duty therein.

VII. When the yearly Value of the Lands exceeds not 20*s.* the Inquisition shall be returned to the Chancellor, and he (or his Deputy) shall rate and take the Fine according to the quantity of the Land.

VIII. The like shall be done by such as purchase Lands holden of the King in Chief.

IX. If Persons dwelling beyond Sea, and having Lands or Rents in *England*, are desirous to purchase Letters of Protection, or would make General Attornies, they shall be first sent to the Exchequer to make their Fines, and from thence to the Chancellor (or his Deputy) for that which he ought to do therein.

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X. In like manner shall they do that will purchase any Fair, Market, Warren, or any other Liberty. All such as will purchase Instalment of their Debts shall be sent into the Exchequer.

XI. Also such as are unable to travel, or dwell in remote parts from the Chancery, which plead or be impleaded, shall have a Writ out of the Chancery to some sufficient Man that shall receive their Attornies, when need is.

XII. For the better remembrance of these things, there shall be a tripartite Indenture made; whereof one shall remain in the Chancery, another in the Exchequer, and the third in the Gardrobe.

XIII. Statute of Amortizing Lands, 34 E. 1. Lands shall not be alienated in Mortmain where there be mean Lords, without their Consent declared under their Seals: Neither shall any thing pass where the Donor reserveth nothing to himself, or when the Inquisition is made and returned without Warrant, viz. without the Original Writ returned with the Inquisition; and unless the Original make mention of every thing according to the new Ordinance devised by the King.

XIV. Statute of Writs for making Inquisition of Lands to be put to Mortmain, *incerti temporis*. Writs *ad quod damnum* for Amortizing Lands shall not be granted, but upon Petition in full Parliament.

V. Stat. De Clero, 3. 18 E. 3. If Prelates, Clerks beneficed, or other People of Religion, being impeached for purchasing Lands in Mortmain, shew the Kings Charter of Licence, and Process thereupon made by an Inquest of *Ad quod damnum*, or of the Kings Grace, or by Fine, they shall be in peace: And albeit they cannot sufficiently shew that they have entred by due Process after Licence to them granted in general or special, yet they shall be well received to make a convenient Fine for the same.

XVI. Stat. 15 R. 2. 5. It is within the Compass of the Statute of 7 E. 1. to convert any Land into a Church-yard, albeit it be done by the Consent or Connivance of the Ter-tenant, and confirmed by the Pope's Bull.

XVII. If any be seized of any Lands or other Possessions to the use of any Spiritual Person with purpose to Amortize them, and whereof such Spiritual Person takes the Profits, they shall before the Feast of St. Michael next, cause them to be Amortized by the Licence of the King and other Lords, or dispose of them to some other use; otherwise they shall be Forfeit according to the Form of the said Statute, as Lands purchased by People of Religion: And no such Purchase to the use of such Spiritual Persons shall be hereafter made, upon like pain.

XVIII. The same Law shall likewise be of Lands or other Possessions purchased to the use of Guilds and Fraternities: Also Lands purchased by Corporations, or to their use, shall be within the Compass of the said Statute *de Religiosis*.

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XIX. Stat.

XIX. Stat. 23 H. 8. 10. If any Grant of Lands or other Hereditaments shall be made in trust to the use of any Churches, Chapels, Church-wardens, Guilds, Fraternities, Commonalties, Companies or Brotherhoods, to have perpetual Obits, or a continual Service of a Priest for ever, or for sixty or eighty years, or to such like Uses or Intents; all such Uses, Intents and Purposes shall be void, they being no Corporations, but erected either of Devotion, or else by common Consent of the People.

XX. Such Uses and Intents may be made and declared to continue twenty years from the time of such limiting of them, but no longer.

XXI. Collateral Assurances made for the defending of this Statute shall be void, and this shall be interpreted most beneficially for the Destruction of such Uses as aforesaid.

XXII. This Act shall not prejudice Corporations, where there is a Custom to devise Lands in Mortmain.

XXIII. This Act shall not prejudice the Executors of *Jannis* and *Terrey* late Aldermen of *Norwich*.

Mortuaries.

I. Stat. 21 H. 8. 6. No Spiritual Person, his Bailiff or Lessee, shall take or demand more for a Mortuary than as is hereafter expressed, nor shall convent any Person before any Ecclesiastical Judge for the Recovery of more for the same than is hereafter declared, in pain to Forfeit so much as he takes or demands more; and likewise 40 s. to the Party grieved, to be recovered by Action of Debt, wherein no Essoign, &c. shall be allowed.

II. None shall take or demand for a Mortuary any thing at all where (by the Custom) they have not been usually paid, nor upon the Death of a Woman-covert, a Child, a Person not keeping House, a Way-faring Man, one not residing in the place where he happens to die, nor where the Goods of the dead Person (Debts deducted) amount not to the value of ten Marks; nor above the Sum of 3 s. 4 d. when they exceed not 30 l. nor above 6 s. 8 d. when they exceed 30 l. but not 40 l. nor above 10 s. when they amount to 48 l. or above. And if the Person die in a place where he or she dwelleth not, their Mortuary shall be paid in the place where they had their most abode.

III. This Act shall not abridge Spiritual Persons to receive Legacies bequeathed unto them, or to the Kings Altar.

IV. No Mortuaries shall be paid in *Wales*, *Calais* or *Berwick*, or in any of their Marches, save only in *Wales* and the Marches thereof, where they have been accustomed to be paid; and such as are there paid, shall be regulated according to the Order prescribed by this Act.

V. The Bishop of *Bangor*, *Llandaff*, *St. Davids*, and *St. Asaph*, and the Arch-deacon of *Chester*, shall take Mortuaries of the

the Priests within their Jurisdiction as hath been accustomed, notwithstanding this Act.

VI. Less Mortuaries already settled by Custom, shall not be increased by this Act; and there also Persons exempted by this Act, shall not hereafter be chargeable.

 Murder and Manslaughter.

I. *Parlb. 25. 52 H. 3.* Murder shall not be adjudged where it is found misfortune only, but where the Party is slain by Felony, and not otherwise.

II. *Stat. 3 H. 7. 1. pars inde.* Every Coroner upon view of the dead Body, shall inquire of the Person that hath done the Death or Murder; also of their Abettors and Consenters, and who were present when it was done; and the Names of the Persons so present and found, shall enrol and certifie.

III. Here the Offender and his Accessories, being indicted, shall be also arraigned at any time within the Year at the Kings Suit, and the proceeding thereof shall not tarry for any Appeal to be prosecuted within the Year, as hath been heretofore used.

IV. Albeit the Principal or Accessary be acquit within the Year and Day, yet shall not the Justices suffer them to go at large, but either remand them to Prison, or let them be bailed, until the Year and Day be out: And whether they be attainted or acquit, yet the Wife, or the next Heir of the Slain may within the Year and Day (the Benefit of the Clergy being not before had) prosecute their Appeal against them, any such Attainder or Acquittal notwithstanding.

V. The Wife or Heir may commence their Appeal in proper Person at any time within the Year, before the Sheriff and Coroners of the County where the Offence was done, or before the Justices of the Kings Bench or Goal-delivery. And in any such case (save only where Battle lieth) the Appellant (after the Suit so commenced) may appoint an Attorney to prosecute it.

VI. When one is slain in the day-time, and the Murderer escapes untaken, the Township that suffers it, shall be amerced, and the Coroner shall enquire thereof upon the view of the Body dead.

 VII. Also Justices of Peace have power to enquire of Escapes, and to certifie them into the Kings Bench; and after the Felonies found, the Coroners shall deliver their Inquisitions before the Justices of the next Goal-delivery there, who shall proceed against the Murderers, or else certifie such Inquisitions into the Kings Bench.

VIII. A Coroner shall not be remiss, but duly execute his Office according to Law, in pain of 5 *l.* and shall have for his Fee (upon view of the Body) 13 *s.* 4 *d.* of the Goods of the Murderer, if he have any; if not, then out of such Amerciaments as shall be set upon the Township that suffered the Murderer to escape.

Musters, vid. Militia.

I. Stat. 4 & 5 P. & M. 3. If any one who shall be commanded to muster by any authorized thereunto, doth absent himself, (having no lawful Excuse) or at such Musters doth not bring with him his best Arms, he shall suffer Ten days Imprisonment without Bail, to be imposed by the Persons so authorized, unless he will agree to pay 40 *l.* for a Fine to the use of the King and Queen, and the Heirs and Successors of the Queen: which Fine shall be estreated into the Exchequer by the said Persons so authorized under their Seals within two Months after such Agreement, and afterward levied as Fines assessed by Justices of Assize and Goal-delivery in their Circuits.

II. If any Person authorized to muster or levy Soldiers, shall exact or take any Reward to discharge or spare any from the said Service, he shall Forfeit Ten times so much as he shall so exact or take.

III. A Captain or other Officer which, after he shall have (for a Reward) licensed a Soldier to depart, doth not pay him his Wages, and Coat, and Conduct-money, shall Forfeit Ten times so much as he shall so take, and to the Soldier Three times so much as he should have paid him.

IV. The one Moiety of the abovesaid Forfeitures (except that limited to the Soldier) is given to the King and Queen, and the other to the Prosecutor.

 V. Justices of Assize, Justices of Peace, and Stewards in Leets have Power to hear and determin these Offences; and the Justices of Assize or Peace, upon Conviction of the Offender, may commit him to Prison without Bail, until he hath satisfied the abovesaid Penalties to the King, Queen and Prosecutor; or where there is no Prosecutor, to the King and Queen alone.

VI. Offences committed during the time of Service, shall be heard and determined by the Chief Commander.

VII. This Act shall not discharge Service of War incident to the Tenure of Land.

VIII. The Offender of this Act shall not be twice punished for the same Offence.

IX. None shall under colour of Service of War incident to the Tenure of Land, exact any other thing than what shall be employed in present Service, and shall be restored again to the Owner when the Service is done, at least so much thereof as shall not be spent or lost in the Service.

X. Inhabitants within Cities, Boroughs and Corporations shall be mustered at home by the Head Officer, and one other (at least) to be joyned with him by Commission, or otherwise.

Newcastle

Newcastle upon Tine.

I. Stat. **A**LL Keels in the Port of *Newcastle* shall be measured by Commissioners thereto assigned by the King, and marked of what Portage they are, before any Carriage of Coals be made by them, in pain to Forfeit them to the King.

II. Stat. **21 H. 8. 18.** No Person shall ship, load or unload any Goods to be sold into or from any Ship at any Place on the River of *Tine*, between the Places called *Sparhawk* and *Headwin-streams*, but only at the Town of *Newcastle*, in pain to Forfeit such Goods, which the Mayor, Burgessees and Commonalty there shall have Power to seize for the Kings Use.

III. None shall raise or levy any Wear, Gore or Engine in the Haven there betwixt the Places aforesaid, in pain of 100 *l.* to be divided betwixt the King and the Prosecutor. And the Mayor, &c. have Power to take away all such Weats, &c. which shall be found betwixt the said Places.

IV. This Act shall not extend to the Buying, Shipping, Loading or Unloading of Salt or Fish, nor to the Buying or Selling of any Wares or Merchandize needful for the Victualling or Amending of Ships.

V. Stat. **30 Car. 2. cap. 8.** Commissioners shall from time to time be appointed by the King, for the Measuring and Marking all Keels, and other Boats, Carts and Wains for Carriage of Coals in the Port of *Newcastle upon Tine*, and all the Members and Places whatsoever to the said Port belonging, by the Bowl-tub of *Newcastle*, containing Twenty two Gallons and a Pottle, *Winchester*-measure, and being Twenty seven Inches Diameter on the top from outside to outside, allowing One-and twenty such Bowls Heap-measure to a Chaldron.

VI. The Content of each Wain shall be Seven Bowls, and of each Cart Three Bowls and one Bushel Heap-measure; and Three such Wains, or Six such Carts shall be allowed for a Chaldron; and no Coals to be made use of in such Admeasurement, but what are good and new wrought, and led to the Wharf within Three Months before such Admeasurement, one Moiety to be dry, and the other wet. And Keels and other Boats so admeasured, shall be marked by the Commissioners of what Portage they are, or by such as they or any Three of them shall appoint, in such manner as the Commissioners, or any Three of them shall think fit. Nor shall any Keel or Boat be admeasured or marked but between the 25th of *March* and the 29th of *September* in any year.

VII. Keels or other Boats, Wains or Carts, which shall carry any Coals in the Places aforesaid, before they be measured and marked as aforesaid, shall be forfeited, together with the Coals laden upon them; one Moiety to the King, the other to him that will seize or sue for the same.

VIII. The Mayor of *Newcastle*, for the time being, shall administer the Oath to such as the Commissioners, or any three of them shall appoint, for the measuring or marking of Boats and Keels in the River of *Tine* for the true Execution of their Trust. And the Commissioners or three of them may administer the like Oath to such as they shall employ for measuring or marking, &c. in all places within the limits of this Act.

IX. Persons that have a hand in removing or altering such Marks, upon Proof by one Witness before a Justice of Peace, shall Forfeit 10 *l.* to be levied by Distress and Sale of Goods, and for want thereof, be committed to Goal for three Months.

X. See Measures and Forfeitures ascertained *per Stat. 6 & 7 W. 3. cap. 10.*



News.

* I. *West. 1. 34 E. 3. 1.* None shall report any false or slanderous News or Tales, whereupon Discord may arise betwixt the King and his People, or the great Men of the Realm, in pain of Imprisonment until he produce the Author.

II. *Stat. 2 R. 2. Stat. 1. 5.* None shall devise, speak or tell any false News, Lies, or other such false thing of Prelates, Lords, or the great Officers of the Realm, whereby any Discord or Slander may arise, in pain to be punished as by the Statute of *West. 1.* is ordained.

III. *Stat. 12 R. 2. 11.* When any one hath spoken Falsities, contrary to the aforesaid Statute, and cannot produce the Author, and is thereupon imprisoned, he shall afterward be punished by the Kings Council notwithstanding the said Statute of *West. 1.*

Nisi Prius.

I. *West. 2. 30. 13 E. 1.* Justices sworn shall be assigned to take Assises of *Novel Disseisin*, *Mortdancestor* and *Attaints*, and they shall associate unto them one or two of the discreetest Knights of the County where they come; which Assises and Attaints shall be taken but thrice in the year, viz. 1. Between the 8th of *July* and the 1st of *August*. 2. The 13th of *September* and the 6th of *October*. 3. The 31 of *January* and the 2d of *February*.

II. At such Assises, before they depart, they shall appoint the Day of their Return; and may also adjourn the Assises from day to day, if the taking of them happen to be deferred at any day, by vouching to Warranty, Essoign or Default of Jurors. They may also adjourn Assises of *Mortdancestor* (being respited by Essoign or Voucher) into the Bench, and in such case shall send thither the Record thereof, together also with the Original Writ: And when the matter is come to the taking of the Assize, the Justices

of

of the Bench shall remit it to the Justices before whom the Assizes shall be taken. But the Justices of the Bench in such Assizes shall give four days (at least) in the year before the Justices assigned, to spare Expence and Labour.

III. All Pleas in either of the Benches that require small Examination shall be determined before them: Howbeit it must be at a Day and Place certain, appointed in the presence of the Parties, and mentioned in the Judicial Writ by these Words: *Præcipimus tibi quod venire facias coram Justiciariis nostris apud Westmonasterium (nisi Talia & Talis tali die & loco ad partes illas prius venerint) duodecim, &c.* And when the Inquests of such Pleas are taken, they shall be returned into the Bench where they were commenced, to receive Judgment, and to be inrolled: And Judgment otherwise taken shall be void, except in an Assize of *Darrein Presentment*, and Inquisitions of *Quare Impedit*, which shall be determined in their proper County, before one of the Justices of the Bench and a Knight, at a day certain in the Bench assigned, whether the Defendant consent or not, and there shall Judgment also pass immediately.

IV. The Justices of the Benches shall have in their Circuits Clerks to inrol all Pleas pleaded before them, as have been used in times past. And the Justices assigned shall not compel the Jurors to say precisely whether it be a Disseisin or not, so as they will shew the matter of Fact, and then enquire Aid of the Justices: But if they will of their own head say that it is a Disseisin, their Verdict shall be admitted at their own Peril. And the Justices shall not put upon Assizes or Juries any other than such as were summoned for the same at the first.

V. *Stat. De Finibus levatis, 27 E. 1. 4.* Inquests and Recognizances determinable before the Justices of either Bench, shall be taken in time of Vacation before any of the Justices before whom the Plea is brought, being associate to one Knight of the same County where such Inquest shall pass, unless they require great Examination: And such Justices shall proceed therein notwithstanding the Statute of 21 E. 1. *De ponendis in Assisis (which see in Jurors.)*

VI. *Stat. Eborac. 12 E. 2. 3.* Inquests in Pleas of Land (that require no great Examination) shall be taken in the County where the Plea is, before a Justice of the Peace, accompanied with a substantial Man in the County, whether Knight or other, so as a certain day be given in the Bench, and a certain day and place in the County, in the presence of the Parties, and the Demandant request the same; But Inquests of Pleas that require great Examination, shall be taken in the Country, (in manner aforesaid) before two Justices of the Bench.

VII. *Stat. Ebor. 12 E. 2. 4.* Justices of *Nisi Prius* have Power to record Non-suits and Defaults in the Country at the Days and Places assigned, and shall report them in the Bench at a Day certain

certain assigned, and shall report them in the Bench at a Day given.

VIII. Stat. 4 E. 3. 16. Inquests in Pleas of Land shall be as well taken at the Request of the Tenant as of the Demandants, notwithstanding the Statute of 12 E. 3.

IX. Stat. 4 E. 3. 11. Justices of the Benches of Assize, and of *Nisi Prius*, shall have Power to hear and determin Maintenance, Conspiracy, Confederacy and Champerty, as well as Justices in Eyre, and that which cannot be determined before the Justices of either Bench upon the *Nisi Prius* shall be adjourned unto the Bench where they are Justices, and shall be there determined. Note, That this Statute is confirmed by the Statute of 7 R. 2. 15. which see in Maintenance.

X. Stat. 14 E. 3. Stat. 1. 16. A *Nisi Prius* in the Kings Bench shall be granted before a Justice of that Place, if any Justice of that Place may well go into those parts; if not, then before a Justice of the Common Pleas: so likewise those in the Common Pleas shall be grantable before a Justice of the Kings Bench, if he may go thither, *vice versa*. But if none of them may go, then before the Chief Baron, if, &c. or else before the Justices assigned to take Assizes in those parts, so as one of them be a Justice of one of the Benches, or the Kings Serjeant sworn. And here (to avoid Fraud) if one Party demand a Tenor of the Record, another Tenor thereof shall be also (upon Request) delivered to the other Party.

XI. Where Assizes of *Quare Impedit* and *Darrein Presentment* are Triable in the Country by *Nisi Prius*, before the Justices of either Bench, the Chief Baron, or Justices of Assize, they may there give Judgment upon them.

XII. Stat. 7 R. 2. 7. In all Pleas where *Nisi Prius* is grantable of Office, after the great Distress returned, and three times served before the Justices against the Jurors, and thereupon the Parties demanded, if either Party will pursue, or if they refuse to have a *Nisi Prius* in the Case, then at the Suit of any of the Jurors there present, a Writ of *Nisi Prius* shall be granted to end the Quarrel, and that as well in the Exchequer as elsewhere.

XIII. Stat. 14 H. 6. 1. Justices of *Nisi Prius* have power to give their Judgments in Cases of Felony and Treason, as well upon Acquittal as Attainder, and thereupon also to award Execution.

XIV. Stat. 18 El. 12. The Chief Justice of England upon Issues joined in the Kings Bench or Chancery, and the Chief Justice of the Common Pleas, and the Chief Baron of the Exchequer upon Issues joyned in their several Courts, or (in their absence) to other Justices or Barons, are made Justices of *Nisi Prius* for the County of *Middlesex*, and may sit in *Westminster Hall*, or in the Exchequer within the Term, or four days after, for the Trial of Issues joyned in the said Courts respectively, and triable in
Middlesex

Middlesex aforesaid, to prevent Interruption of Proceeding in the said several Courts during the Term, and for the better ease of the Free-holders of *Middlesex*. Upon which Trials *Tales* shall be granted, and all other Proceedings shall pass as upon Writs of *Nisi Prius* triable elsewhere in the Country.

Non-Conformists.

I. Stat. 13 & 14 Car. 2. cap. 1. If any who maintain that the taking of an Oath in any Case whatsoever, is unlawful, refuse to take an Oath where by Law they are bound, or endeavour to persuade others to refuse, or maintain that the taking an Oath in any Case whatsoever is unlawful: And if five or more *Quakers* of sixteen Years of Age or upwards, assemble under pretence of joyning in Religious Worship not authorized by Law, the Party offending being convicted by Confession, Verdict, or by the notorious Evidence of the Fact, shall forfeit for the first Offence the Sum imposed, not exceeding 5*l.* and for the second the Sum imposed, not exceeding 10*l.* to be levied by Distress and Sale of Goods; and for want thereof, or Non-payment within a Week after Conviction, shall be committed to the Goal or House of Correction for the first Offence three Months, for the second six Months, to be kept at hard Labour: The Money shall be paid to whom they, before whom the Conviction is, shall appoint, for encrease of the Stock of the House of Correction to which they shall be committed. If after two Convictions they offend the third time, and are convicted, they shall abjure the Realm, or the King may order them to be transported in any Ship to any of his Plantations.

II. Justices of Oyer and Terminer, of Assise and Goal-delivery, and of the Peace in their General Sessions, may determin the said Offences.

III. Justices of Peace, Mayors and Chief Officers of the Corporations may commit to the Common Goal, or bind over with Sureties to the Quarter-Sessions such Offenders, in order to their Conviction.

IV. If after Conviction they shall take such Oath, and give Security to forbear meeting in such unlawful Assemblies, they shall be discharged from the Penalties aforesaid.

V. Lords of Parliament for every third Offence shall be tried by their Peers. *Quakers exempt from the Penalties of this Act*, per Stat. 1 W. & M. cap. 18. Sect 13.

VI. Stat. 17 Car. 2. cap. 2. Parsons, Vicars, Curates, Lecturers, and other in Holy Orders, or pretended Holy Orders, or pretending to Holy Orders, all Stipendaries and others who have been possessed of any Ecclesiastical Promotion, not having declared their Assent and Consent, and subscribed the Declaration contained

Non-plevin, Non-suit.

contained in the *Stat. of 14 Car. 2. cap. 4.* and all that shall preach in any unlawful Assembly, shall not, unless only in passing upon the Road, come within five Miles of any City, Town-Corporate, or Borough, that sends Burgesses to Parliament, or of any Parish, Town or Place, where since the Act of Oblivion, they have been Parson, &c. or preached, *ut supra*, till before the Justices of Peace at their Quarter-Sessions for the Division next to the said City or Town-Corporate, &c. they have taken and subscribed this Oath: *viz. I A. B. do swear, That it is not lawful upon any pretence whatsoever, to take Arms against the King; and, That I do abhor that Traiterous Position, of taking up Arms by his Authority against his Person, or against those that are commissioned by him, in Pursuance of such Commissions: And that I will not at any time endeavour any Alteration of Government, either in Church or State, on pain to forfeit 40 l. one third to the King, another third to the Poor of the Parish where the Offence is committed, the other third to the Prosecutor, in any Court of Record at Westminster, before any Justices of Assize, Oyer and Terminer, or Goal-delivery, Justices of the Counties Palatine of Chester, Lancaster and Durham, or of the great Sessions in Wales, or Justices of Peace in their Quarter-Sessions.*

VII. Persons so restrained, &c. and others not first taking and subscribing the said Oath, and not frequenting Divine Service established by Law, shall not teach any School, by themselves or others, on pain to forfeit 40 l. to be recovered and distributed as aforesaid.

VIII. Any two Justices of the Peace of the County, upon Oath made of any Offence against this Act, may commit the Offender for six Months, unless he shall before the said Justices swear and subscribe the said Declaration.

IX. The Obedience of any Persons so restrained to any Writ, *Subpoena*, or other Process, shall be no Offence against this Act.

X. Preacher or Teacher of Dissenting Protestants exempted from Penalties of this Act, *per Stat. 1 W. & M. cap. 18. Sect. 8.*

Non-plevin.

I. Stat. 9 E. 3. 2. None shall lose their Land by reason of *Non-plevin*.

Non-suit.

I. Stat. 2 H. 4. 7. Where before Justices of Assize the Parties are adjourned for some Difficulty in Law upon the matter found, in this Case the Plaintiff shall not be *Non-suited*, albeit the Verdict pass against him.

Non-

Non-tenure.

I. Stat. 25 E. 3. Stat. 5. 16. By the Exception of Non-tenure of Parcel no Writ shall abate, but only for the Quantity of the Non-tenure which is alledged.

Northampton.

I. Stat. 27 Car. 2. cap. 1. The Judges of Assize for the County of Northampton, and the Courts of King's Bench, Common Pleas, and Barons of the Coif of the Exchequer, the Justices of Peace for the said County, and Mayor of Northampton for the time being, Sir John Holman Baronet, Sir Edmund Bray Knight, Thomas Willoughby, James Stedman, Robert Hazelridge, Thomas Andrews, Thomas Ward, Charles Fleetwood, Daniel Danvers, Salathiel Lovel and William Kimbold, Esquires, or five of them sitting at Northampton, are hereby constituted a Court of Record, and may without the Formalities of Proceedings in Courts of Law or Equity, at their Discretions determine all Differences which have or may arise by reason of the late sudden and dreadful Fire which happened in September last, in the Town of Northampton, other than Arrears of Rent due on or before the 29th of September 1675. The Definitive Order of the said Court to be final without Appeal or Review, other than what is hereafter expressed.

II. The Parties aforesaid, or five of them, may order the surrendering, increasing, abridging, ceasing or charging of any Estate in the Premises, or new Estates to be made to any late Occupier, at what Rent they think fit, unless where the Law forbids the diminishing of ancient and accustomable Rent. Such Orders to be conclusive notwithstanding any Coverture, Infancy, Non-sanity of Memory, Estate-tail, Right of the Church, or other Disability.

III. The said Court may make Directions in the Forms and Orders of Building, and may decree the Enlargement or Alteration of Streets, Lanes, Roads and Passages, and other publick Places for the Convenience of the Town, and may agree with the Owners of such Ground as shall be made use of; and if any Person through any Impediment cannot accept thereof, they may summon a Jury to assess such Recompence as they think fit, and upon Payment of the Money so awarded, or Tender and Refusal thereof, the Interests of all Parties to be bound.

IV. The said Court may alter Foundations, and award what shall be paid by such as are benefited thereby, and to such as receive Damage: And in case any Person will not, or through any Impediment cannot accept thereof, they may summon a Jury to assess it: Upon Payment whereof, or Tender and Refusal, the Parties damnified to be barred, and the Persons benefited to enjoy what shall be so assigned them.

V. The

V. The said Directions shall not extend to take away any Man's Ground otherwise than to enlarge the Passages at the Places herein mentioned. *For which see the Statute at large.* If the Owners shall not within three Years after the Fire lay the Foundations of their Houses, and within the time to be limited by the said Court finish the same, the Court may decree the Soil to such as will build, and award Satisfaction to the Owners ; and in case any Person will not, or through any Impediment cannot accept thereof, the Court may summon a Jury, *ut supra.*

VI. All Houses and other Buildings to be built in the said Town shall be covered with Lead, Slate or Tile, and no perilous Trade in respect of Fire shall be exercised in the principal Streets or parts of the Town : Building otherwise covered, and Houses built contrary to the Directions of the said Court, shall be deemed publick Nufances.

VII. Orders made by a lesser number than Seven of the Persons aforesaid, may be excepted to within twenty Days after they are made ; such Exceptions to be presented in Writing to a Judge of Assise for the said County, or other Judge of either Bench, or a Baron of the Coif of the Exchequer ; and if one of them shall subscribe that he finds probable Cause of Complaint, seven or more of the Persons above named, that did not make such Order, may review, reverse, confirm, enlarge or diminish, or otherwise alter the same, or award Costs against the Appellants, and levy the same by Distress and Sale of their Goods : such Appeals to be finished within six Months after the Exceptions delivered in.

VIII. Such Decrees shall conclude all Persons whatsoever, Bodies Politick and Corporate, Infants, Feme-Coverts, &c. and no Writ of *Certiorari* shall be for the Removal or Reversal of the same: they shall be Entred fairly in one or more Books, and subscribed by the Persons that made them ; the said Books to be delivered in to the Mayor and Aldermen of the Town, to be kept among their Records and Evidences, and all Persons concerned may have free Recourse to the same: The Authorities given by this Act to continue ten Years and no longer.

IX. The Justices of Peace for the said County, who shall be Inhabitants in the Town, may exercise their Office within the Town and Liberties thereof as in the County ; other Justices of Peace for the County may exercise the said Office within the Town and Liberties thereof during the time in which the Assises and Sessions of the Peace for the County shall be kept there. Persons not free of the Town, that shall build any House there to the value of 300*l.* within seven Years from the 20th of September last, may exercise any Trade within the Town as Free-men.

X. All Persons before they execute any the Authorities in this Act mentioned, shall take this Oath before two Justices of Peace for the County, *viz.*

I do

I do hereby swear, That I will justly and truly execute the Powers and Authorities in this Act contained, according to the best of my Knowledge, without Favour or Affection to any of the Parties concerned. So help me God.

XI. Persons impleaded for any thing done in pursuance of this Act, may plead the general Issue; and give the special matter in Evidence; and if the Plaintiff be Non-suit, or a Verdict pass against him, the Defendant shall have double Costs.

Northumberland.

I. Stat. 23 H. 6. 7. The Sheriff of *Northumberland* shall gather no more Head-pence there, in pain of 100*l.* to be divided betwixt the King and the Prosecutor.

Norwich.

* I. Stat. 33 H. 8. 16. None shall buy within *Norwich*, or the County of *Norfolk*, any Worsted Yarn spun in the said City or County, but such as shall work it, or cause it to be wrought in *Norwich*, or elsewhere within the said County, in pain to forfeit for every Pound thereof otherwise employed, 40*s.* to be divided betwixt the King and the Prosecutor.

II. None shall convey beyond Sea any Worsted Yarn (spun in *England*) in pain to forfeit 40*s.* for every Pound, to be divided as aforesaid.

III. Stat. 1 E. 6. 6. The Statute of 33 H. 8. 16. is made perpetual.

IV. Hat-makers dwelling in *Norwich* may buy Worsted Yarn called *Middle luff-yarn*, as they have used to do, notwithstanding the Statute of 33 H. 8. 16. so as they imploy it in Hat-making within the said City.

V. Stat. 5 & 6 E. 6. 24. None shall make Mats, Coverlets, or Dornicks, by himself or others, or use any of those Mysteries in *Norwich* or *Norfolk*, unless he be admitted so to do by the Mayor, Recorder, Steward, and two Justices of Peace of that City, or by four of them, or have been Apprentice to the said Mystery by the space of seven Years.

VI. None shall make any Hats, Dornicks or Coverlets in *Norfolk*, but only in some Corporate or Market-Town there, in pain to forfeit for every six Felts, 10*s.* for every Coverlet 3*s.* 4*d.* and for every six Yards of Dornicks 6*s.* 8*d.*

VII. This Act shall not extend to the Inhabitants of *Pulham* in *Norfolk*.

VIII. The Mayor, Recorder, Steward, or Justice of Peace that takes a Reward for admitting any to work, shall forfeit 5*l.* to be divided betwixt the King and the Prosecutor.

IX. Stat. 1 & 2 Ph. & M. 14. An Act for the making of Russets, Sattens, Sattens reverses, and Fustians of *Naples*, at *Norwich*, and not elsewhere; by which Act there is a Corpora-

ration

ration made for that purpose, and divers Articles concerning the same. *See the Act at large.*

X. Stat. 39 Eliz. 2. 2. An Establishment of the Bishoprick of Norwich, and Possession thereof, against a pretended concealed Title made thereunto. *See the Statute at large.*

Vid. Drapery. Numb. 312. &c.

Nuisance.

I. West. 2. 24. 13 E. 1. A Writ of Nuisance shall be grantable as well against the Alienee as against the Party that levied it: and when it is against the Party himself, the Writ shall be, *Questus est nobis A. quod D. injuste, &c. levavit domum, murum, mercatum, &c. & alia, que sunt ad nocumentum, &c.* But when against the Alienee, the Writ shall be, *Questus est nobis A. quod B. & C. levaverant, &c.*

II. Stat. 6 R. 2. 3. All Writs of Nuisance called *Viconciels*, shall be made at the Election of the Plaintiff, according to the old Form, or in the nature of Assises, determinable before the Justices of the one Bench or other, or the Justices of Assise, to be taken in the County of the Place assigned.

Oath.

I. SEE *Magna Charta*, printed by Richard Tottel Anno Domini 1556. fol. 164. and 166. *the Oaths of the King, the Bishops, the King's Counsellors, Escheators, Sheriffs, Mayors and Bailiffs.* See the Oath Ex Officio, Courts and Jurisdctions Ecclesiastical, Numb. VI. And see Title Quakers, Numb. I.

Obligations.

I. Stat. 38 E. 3. 4. Whereas divers People be bound in another Court out of the Realm, by Instruments or otherwise, it is accorded, that all Penal Bonds in the third Person be void, and holden for none.

Odio & Atia.

I. West. 1. 11. 3 E. 1. Forasmuch as many being indicted of Murder, and guilty thereof, by favourable Inquests taken by the Sheriff, and by the King's Writ of *Odio & Atia*, are replevied until the coming of the Justices in Eyre; It is provided, that from henceforth such Inquests shall be taken by lawful Men chosen out by the Oath of twelve Men (of whom two at the least shall be Knights) who by no Affinity with the Prisoners or otherwise are to be suspected.

Officers

Officers and Office.

I. Stat. 12 R. 2. 2. The Chancellor, Treasurer, Keeper of the Privy Seal, Steward of the King's House, the King's Chamberlain, the Clerk of the Rolls, Justices of the Bench, Barons of the Exchequer, and all others called to name and ordain Justices of Peace, Sheriffs, Escheators, Customers, Comptrollers, or any other Officer or Minister of the King, shall be firmly sworn, that they shall not name or ordain any Officers or Ministers for any Gift or Brocade, Favour or Affection: And none which pursueth by him or by other, privily or openly, to be in any such Office, shall be put in the same, or any other: But that they make all such Officers and Ministers of the best and most lawful and sufficient Men in their Judgments and Knowledge.

II. Stat. 14 R. 2. 10. No Customer, Comptroller, Searcher, Weigher or Finder, shall have any such Office for term of Life, but only during the King's Pleasure, notwithstanding any Patent or Grant to the contrary.

III. Stat. 17 R. 2. 5. No Searcher, Gager, Aulnager, Finder or Weigher of Wools or other Merchandize, Collector of Customs and Subsidies, or Comptroller, shall have their several Offices for term of Life or Years; but such Offices shall remain in the King's Hand, under the Governance of the Treasurer, with the Assent of the Council, if need be; and all Charters and Patents otherwise made, shall be void.

IV. Stat. 1 H. 4. 13. The Statute of 17 R. 2. 5. shall be duly put in Execution, and all Customers and Comptrollers shall be resident upon their Offices in their proper Persons, without making any Deputies in their Places.

V. Stat. 4 H. 4. 20. The Statute of 1 H. 4. 13. shall be duly put in Execution, and the said Officers shall be sworn so to do, on pain of Imprisonment, and to forfeit 100 l.

VI. Stat. 13 H. 4. 5. The Statute of 1 H. 4. 13. shall be duly put in Execution. And all Customers, Comptrollers, Gagers of Wine, and Searchers, shall be resident upon their Office, especially at the time of Charge and Discharge of Ships and Vessels; so that no such Officer after the time aforesaid, be absent from his said Office by three Weeks at the most, in pain to lose his Office, unless he be commanded upon Record to be in the King's Courts, or otherwise in the King's Service of Record.

VII. Stat. 2 H. 6. 10. All Officers made by the King's Letters Patents within his Courts, which have Authority (*ab antiquo*) to appoint Clerks and Ministers within the same Courts, shall be sworn to appoint such there for whom they will answer at their peril, and such as be sufficient, and will be faithful and diligent in their Places.

VIII. Stat. 31 H. 6. 5. All Letters Patents of the said Offices or Aulnage made against the Effect of the Statutes of 17 R. 2. 5. or 4 H. 4. 24. (which see in *Drapery*) shall be void: And no Letters Patents of any of them shall be hereafter made, but by Warrant of Bill sealed by the Treasurer, and sent by him into the Chancery, as hath been heretofore used; and if any be otherwise made, they shall be void.

IX. This Act shall not extend to be prejudicial to the Queen, the Prince, the Duke of *Buckingham*, the Heirs of *Henry* late Earl of *Warwick*, the Cities of *London* and *Winchester*, to any Comptroller for any Office out of the King's Ports, to *John Pannicoke* or *Gyles Seyntlo*, Esquires, or to any of the King or Queen's Household Servants, for any of their Offices, or the Fees thereof due and accustomed.

* X. Stat. 5 & 6 E. 6. 16. None shall bargain or sell any Office or Deputation, or any part thereof, or receive or take any Money, Fee, Reward, or any other Profit, directly or indirectly, or any Promise, Agreement, Bond or Assurance to receive any such Profit for the same, which Office shall concern the Administration or Execution of Justice, or the Receipt, Comptrolment or Payment of any of the King's Money or Revenue, or any Accompt, Aulnage, Auditorship, or Surveying of any of the King's Lands, or any of his Customs, or any Administration or Attendance in any Customhouse, or the keeping of any of the King's Towns, Castles or Fortresses (being Places of strength or defence) or any Clerkship in any Court of Record, in pain that the Bargainee thereof shall lose his Place, and the Bargainor be adjudged disabled to execute the same: and every such Bargain and Agreement shall be void.

XI. Provided, that this Act shall not extend to any Office of Inheritance, for the keeping of a Park, House, Manor, Garden, Chase or Forest; nor to the two Chief Justices, or Justices of Assise, but that they may grant Offices, as they did before the making of this Act. Also all Acts done by any Officer removable by force of this Statute shall be good in Law, until he be removed.

XII. Stat. 25 Car. 2. cap. 2. All Persons that shall bear Office Civil or Military, or receive any Salary or Wages, by any Grant from the King, or shall have Command or Place of Trust from or under him, or from any of his Predecessors, or by their Authority, in *England, Wales*, Town of *Berwick*, or in his Navy, or in the Isles of *Jersey* and *Guernsey*, or shall be of the Household, or in the Service of the King, or the Duke of *York*, who shall reside or be within *London, Westminster*, or thirty Miles of the same, at any time in *Easter-Term*, in the year 1673. shall appear before the end of *Trinity-Term* next following, in the Court of Chancery or King's-Bench, and between the hours of nine and twelve in the Forenoon take the Oaths of Supremacy and Allegiance. During which time of the taking thereof, all Proceedings shall cease; and every

every of the said Persons and Officers not having taken the said Oaths in the said Courts, shall on or before the first day of *August* 1673. at the Quarter-Sessions for that Place where they shall be, or reside on the 20th of *May*, take the said Oaths in open Court between the said Hours. And the said Officers shall receive the Sacrament of the Lord's Supper according to the Usage of the Church of *England*, at or before the first of *August*, 1673. in some Parish-Church upon some Lord's Day.

XIII. And all Persons that shall be admitted into any of the said Offices, or shall receive any Pay or Wages, *ut supra*, or shall be received into any Service or Employment aforesaid, after the first day of *Easter-Term* aforesaid, and shall reside or be, when so admitted, in *London* or *Westminster*, or within thirty Miles of the same, shall take the said Oaths in the said Courts in the next Term after their admittance between the hours aforesaid, and all such Persons to be admitted after the first day of *Easter-Term*, as aforesaid, within three Months after their admittance.

XIV. And every of the said Persons in the Court where he takes the said Oaths, shall deliver a Certificate of his receiving the Sacrament, as aforesaid, under the Hand of the Minister and Churchwardens, and shall make Proof of the truth thereof by two Witnesses upon Oath; all which shall be recorded in the respective Courts.

XV. All Persons neglecting to take the said Oaths and Sacrament, as aforesaid, shall be *ipso facto*, disabled to enjoy the said Offices or Employments, or any Profit thereby; and every such Place shall be void.

XVI. All Persons that after such neglect shall execute any of the said Offices or Employments, and be convicted thereof in any of the Courts at *Westminster*, or at the Assizes, shall be disabled to sue in Law or Equity, or be Guardian to any Child or Executor or Administrator, or capable of any Legacy, or Deed of Gift, or to bear any Office in *England*, *Wales*, or Town of *Berwick*, and shall forfeit 500 *l.* to be recovered in any of the Courts at *Westminster*.

XVII. The names of all such Persons and Officers aforesaid as shall take the Oaths aforesaid, shall be inrolled in the respective Courts aforesaid, with the time of their taking the same: Which Rolls as for the Court of *Chancery*, shall be publicly hung up in the Office of the Petty-Bag, and for the *King's Bench* in the Crown-Office of that Court, and in some publick place in every Quarter-Sessions during the whole Term, every Term, and during the whole time of such Session, for every one to resort to, without Fee: and none shall pay above 12 *d.* for entry of his taking the said Oaths.

XVIII. If any not bred up from their Infancy by their Parents in the Popish Religion and professing themselves Popish Recusants, shall educate their Child or Children, or suffer them to be educated in the Popish Religion, they shall be disabled of bearing any Office in Church or State: and all such Children so educated shall be

disabled of bearing any such Office, till they be reconciled to the Church of *England*, and take the said Oaths in the Quarter-Sessions of the place where they inhabit; and thereupon receive the Sacrament of the Lord's Supper after the usuage of the Church of *England*; and obtain a Certificate thereof under the hands of two of the said Justices.

XIX. When the Persons concerned in this Act shall take the said Oaths, they shall likewise make and subscribe this Declaration under the same Penalties as by this Act is appointed:

I A. B. do declare, that I do believe that there is not any Transubstantiation in the Sacrament of the Lords Supper, or in the Elements of Bread and Wine at, or after the Consecration thereof by any Person whatsoever. Of which Subscription shall be kept the like Register, as of taking the Oaths aforesaid. *This Declaration may be made in the Common Pleas or Exchequer, per cap. 22.*

XX. This Act shall not take away any Right which any person hath by reason of his Peerage, or take away any Creation-money, or Bills of Imposit, or make void any Pension granted by the King for valuable Consideration, for life, lives or years, other than such as relate to any Office, and other than voluntary Pensions; nor make void any Estate of Inheritance granted to any in Hereditaments, not being Offices; nor any Pension granted to any who was instrumental in the Preservation of the King after *Worcester* Battle, in the year 1651. nor make void the Grant of any Office of Inheritance, or any Salary for executing thereof. So as such Persons having such Offices, appoint their Deputies to exercise them, till themselves shall voluntarily take the said Oaths, and receive the Sacrament, and subscribe the said Declaration, and so as such Deputies take the said Oaths, receive the Sacrament, and subscribe the said Declaration, as the Officers themselves are appointed to do; and so as such Deputies be approved by the King under his privy Signet.

XXI. Peers may take the said Oaths, and make the said Subscription, and deliver the said Certificate before the Peers in Parliament, if the Parliament be sitting within the time limited, and in the Intervals of Parliament in the Chancery.

XXII. No married Woman, or person under the age of eighteen years, or beyond Sea, or on the Seas, or bound by Oaths of twelve Men to be *non compos mentis*, and so remaining at the end of *Trinity-Term* 1673. shall lose his or her Office, by virtue of this Act (other than such married Woman during her Husband's life) so as such Persons within four Months after such Impediments removed, perform all things by this Act appointed.

XXIII. Any Person forfeiting any Office by such neglect, may by a new Grant of the same, or any other Office, hold the same, doing all things required by this Act; so as such Office be not granted to, and enjoyed by some other.

XXIV. This shall not make any Forfeiture or Incapacity by or upon any Non-Commission Officer in the Navy, subscribing the Declaration therein required.

XXV. This

XXV. This Act shall not extend to Pensions granted to the Earl of *Bristol* or his Wife the 16th of July 1669.

XXVI. This Act shall not extend to the Office of High-Constable, Petty-Constable, Tything-man, Headborough, Overseer of the Poor, Churchwardens, Surveyer of high-ways, or the like: or to any Office of Forester, or Keeper of any Park, &c. or Bailiff of Lands, or the like, &c.

XXVII. Offenders against this Act excepted out of the General Pardon, *per Stat. 6 & 7 W. 3. cap. 20. Sect. 21.*

Oyer and Terminer.

I. *West. 2. 29. 13 E. 1.* A Writ of Trespass (*ad audiendum & determinandum*) shall not be granted but before the Justices of either Bench, or Justices in *Eyre*, unless it be for some hainous Trespass which requires speedy Remedy.

II. A Writ to hear and determin Appeals before Justices assigned, shall not be granted but upon a Special Case, a certain Cause, and the King's Command. And lest the Party should be kept too long in Prison, they may have the Writ *De Odio & Atia*, provided by *Magna Charta, Cap. 26.* and other Statutes.

III. *Statutum quod vocatur Bagman de Justiciariis assignatis, 33 E. 1.* By this Act it was ordained, That Justices should go through *England* to hear and determin Trespass, and other Complaints of things done within twenty five years before; and divers matters be in that Statute concerning those things. See the Statute in *Vet. Chart. fol. 28.* and *Sir Edw. Coke in the Fourth Part of his Instit. cap. 34.*

IV. *Stat. 2 E. 3. 2. pars inde.* Commissions of Oyer and Terminer shall not be granted but before one of the Justices of the one Bench or the other, or the Justices Errant, and that for great Hurt, and horrible Trespasses, and of the King's special Grace, according to the Statute of *Westm. 2. 29.*

Dyl.

I. *Stat. 3 H. 8. 14.* The Mayor of *London*, together with the Master and Wardens of the Mystery of Tallow-Chandlers there, shall have power to search all Oyls brought to *London* to be sold, and to oversee that the same be not mixed or altered from their right kinds; and what they shall find deceitfully mixed, they shall cast away, and punish the Offender by Imprisonment or otherwise, at their discretions, according to the Laws and Customs of the said City.

II. Head Officers in other Corporations shall have the like power within their Jurisdictions.

Ordinaries.

I. *West. 2. 19. 13 E. 1.* Where an Intestate dies in Debt, and the Goods come to the Ordinary to be disposed, in this Case the Ordinary shall satisfy the Debts so far as the Goods extend, in such sort as the Executors of such Person should have done in case he had made a Testament.

II. *Stat. 18 E. 3. Stat. 3. c. 6.* Temporal Justices shall not make enquiries of Process awarded by the Spiritual Judges, saving only the Article in *Eyre*, such as ought to be.

III. *Stat. 25 E. 3. Stat. 3. 9.* The Justices shall not impeach Ordinaries or their Ministers upon Indictments of general Extortions or Oppressions, unless they put in certain, in what thing, of what, and in what manner the Ordinaries or their Ministers have committed Extortion or Oppression.

Pains and Penalties.

I. *Stat. 13 A. N.* An Act declaring the Pains, Penalties and Forfeitures, imposed upon the Estate and Persons of certain notorious Offenders excepted out of the Act of Free and General Pardon, Indemnity and Oblivion. *See the Statute at large.*

Painters.

* I. *Stat. 1 Jac. 1. c. 20.* No Plaisterer shall use to exercise the Art of a Painter in *London* or the Suburbs thereof, or lay any manner of Colour or Painting whatsoever (in the Art of Painting heretofore used) unless he be a Servant or Apprentice to a Painter, or have served Seven years as an Apprentice in that Art; in Pain for every time so offending, to forfeit 5 *l.* to be divided betwixt the King and the Prosecutor.

II. Provided, the Plaisterers may use Whiting, Blacking, Red-Lead, Red-oker and Russet, mingled with Size only, and not with Oyl, notwithstanding this Statute.

III. Provided also, That no Painter shall take above 16 *d.* the day for laying any flat Colour whatsoever, mingled or mixed with Oyl or Size, upon any Timber, Stone or Lead.

Palace.

I. *Stat. 28 H. 8. 12.* The Limits of the King's Palace at *Westminster* shall extend from *Charing-Cross* to *Westminster-Hall*, and shall have such Privileges as the Kings Ancient Palaces have.

Panel.

Panel.

I. Stat. 42 E. 3. 11. No Inquests but Assizes and Deliverances of Goals shall be taken by Writs of *Nisi Prius*, before the Names of all that are to pass thereupon are returned into the Court.

II. The Sheriff shall array the Panels in Assizes for Four Days at least before the Sessions of the Justices, in pain of 20 l. so that the Parties may have a Copy of the Panels; if they demand them; and the Returns thereof by the Bailiffs to the Sheriffs shall be six days before the Sessions, upon the like pain.

III. The most substantial People, worthy of Credit, and not suspect, shall be put upon Panels, and such as may have best Knowledge of the Truth, and dwell nearest.

IV. Stat. 3 H. 8. 12. Panels returned by the Sheriff to inquire for the King may be reformed by the Justices of Goal-delivery, or Justices of Peace (1. Qu.) before whom such Panel shall be so returned; and the Sheriff shall return the Panels so reformed, in pain of 20 l. to be divided betwixt the King and the Prosecutor. And in this Case the King's Pardon shall be no Bar against such Prosecutor.

 Pardon.

I. Stat. of Gloucester 9. 6 E 1. No Writ shall be granted out of the Chancery for the Death of a Man, to enquire whether one did kill another by misfortune, or *se defendendo*, or otherwise by Felony; but the Party shall be put in Prison until the coming of the Justices in Eyre, or Justices assigned to the Goal-delivery, and shall put himself upon the Country before them: and in case it be found *per infortunium*, or *se defendendo*, upon Report thereof to the King by the Justices, the King shall take him to his Grace, if he so please.

II. Stat. 2 E. 3. 2. *pars inde*. Charters of Pardon for Manslaughters, Robberies, Felonies, and other Trespasses, shall not be granted, but where the King may do it saving his Oath, viz, where one Man killeth another in his own Defence, or by a misfortune.

III. Stat. 4 E. 3. 13. The Statute 3 E. 2. is confirmed.

IV. Stat. 10 E. 3. 2. Pardons shall not be granted contrary to the Statute of 2 E. 3. 2.

V. Stat. 10 E. 3. 3. He that hath a Pardon of Felony, shall within three Months after such Pardon find Surety (before the Sheriff and Coroners) for the good behaviour, which shall within three Weeks after the three Months be returned into the Chancery under the Seals of the said Sheriff and Coroners: And if the Party give not Security as aforesaid, or, being bound, do bear

himself otherwise against the Peace than he ought, the Pardon shall be holden for none. *Repealed per Stat. 5 & 6. W. & M. cap. 13.*

VI. Stat. 14 E. 3. Stat. 1. 15. No pardon of the Death of a Man, or other Felony, shall be granted, but only where the King may do it saving the Oath of his Crown: and if any Pardon be granted against the Statutes made before this time, it shall be holden for none.

VII. Stat. 27 E. 3. Stat. 1. 2. Pardons which have not in them the Suggestion whereupon they are granted, and also the Suggestors Name, shall be void; so are those likewise which are granted upon false Suggestions.

VIII. Stat. 13 R. 2. 1. In a Pardon the Offence committed shall be specified, otherwise it shall not be allowed.

IX. No Pardon of Treason or Felony shall pass without Warrant of the Privy-Seal

X. If the Offence pardoned be afterwards found wilful Murder, that Pardon shall not be allowed. *Vid Stat. 16 R. 2. 9.*

XI. Stat. 5 H. 4. 2. If an Approver shall commit Felony after he is pardoned, he that procured his Pardon shall forfeit 100*l.* whose Name shall also for that purpose be inserted in the said Pardon.

XII. Stat. 12 Car. 2. cap. 11. All Treasons, Murders, Felonies, Offences, Crimes, &c. since the first of Jan. 1637. and before the 25th of June 1660, by virtue or colour of any Authority from the late King, or the King that now is, or by any Authority from both or either Houses of Parliament, the Keepers of the Liberties of *England*, or Lord Protector so called, or from any deriving or pretending to derive Authority from them, or any of them, are pardoned.

XIII. All Persons advising and abetting the same, they, their Heirs, Executors and Administrators are pardoned and discharged: and all Judgments, Penalties and Forfeitures, all Grants thereupon made, and Estates derived under them, are from henceforth void, and all Persons, Bodies Politick and Corporate are hereby restored to all things forfeited, which to the King do or shall appertain by reason of any Offence before-mentioned: All Actions for any thing done by reason of the late Wars, and all Judgments and Executions thereupon had before the first of May, 1658. shall be discharged, but not to restore or account for any thing already received, or taken on such Execution.

XIV. All Actions for any thing done by virtue or colour of any Authority from the late or present King, or of any Ordinance of both or either Houses of Parliament, or Persons sitting as a Parliament after the Death of King *Charles* the First, by the Authority of the Keepers of the Liberties of *England*, or by any Ordinance by either of the late Protectors and Council, or by Authority derived from them, or either of them: all demands of Rent and mean Profits of Land received by any of the Authorities or pretended Authorities aforesaid, shall be discharged.

XV. All

XV. All the Subjects of *England* and *Ireland*, and other the King's Dominions, their Heirs, Executors, &c. and all Bodies in any wise corporated, are acquitted and discharged against the King, &c. from all Offences, all Sums of Money, Intrusions, Mean Profits, Wardships, &c. Arrearages of Rents (other than those due from the late Farmers of the Excise or Customs) and generally of and from all things which can be by the King pardoned before and unto the 24th of *June*, 1660.

XVI. If any Officer or Clerk of any of the King's Courts within this Realm, make out any Process or Precept whereby any before rehearsed, shall be summoned or grieved for any thing discharged by this Act, or if any Sheriff or other Officer levy or withhold from any Person any thing discharged by this Act, they shall pay to the Party grieved treble damages and costs of Suit, and forfeit 10 *l.* to the King, and all such Process, &c. shall be void.

XVII. Except Murders not pardoned in the first Clause; and except Piracy and Robbery not done in relation to the Differences aforesaid, and all abetting such Offenders, and receiving them or Goods so taken; and except Buggery with man or Beast, Rape, wilful taking away, or marrying any Maid or Widow against her Will, or without Assent of her Parents, &c. and all procuring and abetting, &c. and except all Offences against 1 Jac. 1. c. 11. concerning marrying more Wives or Husbands, till the former be dead; and all Offences of Invocations, Witchcraft, &c. and all procuring and abetting, &c. and except Accompts of Persons appointed by any the Authorities aforesaid, to be Treasurers, Receivers, Farmers or Collectors, other than Sub-Collectors of the several Parishes, Towns, Hamlets, for their Receipts before the 24th of *June* 1659.

XVIII. But the Heirs, Executors or Ter-Tenants of the Lands of such Accomptants now deceased, shall not be liable to account, except for Sums due upon their Accompts already stated: and no Accomptant as aforesaid, now living, shall account for Money disbursed, &c. by virtue or colour of any Order, &c. of any Authorities aforesaid, or by their Direction. But no Person shall be called to account for any the matters in this Exception, after the 24th of *June* 1662.

XIX. If Persons accountable for Monies received since the first of *Jan.* 1642. and before the 30th of *Jan.* 1648. have been robbed or plundered of the Monies in their Hands, or any Notes or Books of Receipts or Acquittances touching their Discharge, their Oaths shall be a Discharge for so much: and the Oath of every Accomptant between 1642. and 1648. of what they paid to any publick Use, shall be a good Discharge; and except all the First-fruits and Tenths in the Hands of any Receiver.

XX. Every Judgment of Discharge in the Exchequer since 1648. shall be allowed: except Accompts of Churches and Vicarages in *Wales* and *Monmouthshire*, and Judgments of Discharge thereupon.

XXI. Except Bribery, Perjury and Subornation thereof, Forgery, counterfeiting Deeds or Examinations of Witnesses, and giving the same in Evidence, or compelling and procuring such counterfeiting, &c. and except all detaining, imbezelling and purloining Money, Chattels or Jewels of the late King, Queen, Prince, or any the King's and Queen's Children; other than Shipping and Ammunition, and Goods disposed of in Satisfaction of their Debts: and except all Issues, Fines and Amerciaments received by any Officer, not accounted for; and except all Offences committed by any Jesuit or *Romish* Priest against an Act of 27 *El.* against Jesuits, Seminary Priests, and other disobedient Persons.

XXII. This Act shall not pardon Outlawries upon a *Cap. ad satisfac.* till the Party outlawed agree with him at whose Suit he was outlawed.

XXIII. Except all Proceedings depending concerning Highways and Issues thereon returned since the 30th of *Jan.* 1648. and except all Securities given since the 25th of *May* 1640. by any Accountant in the Exchequer, and except all Recognizances and Obligations not forfeited.

XXIV. Except all Persons who had a Hand in the Rebellion in *Ireland*, mentioned in the Act of 16 *Car.* 1. other than such as by another Act intended to be passed, shall be pardoned: nor shall this Act enure to restore to any (other than the Marquess of *Ormond*, and other the *Protestants* of *Ireland*, and such as by an Act intended to be passed, shall be named) any Estate, &c. disposed of by both or either Houses of Parliament, or any Convention assuming such Name, or any deriving Authority from them.

XXV. All pardoned by this Act may plead the General Issue, and give this Act in Evidence.

XXVI. Except Thefts and other Felonies since the 4th of *May* 1659.

XXVII. This Act shall not discharge any from making such Restitution, as by a pretended Act, intituled, *An Act for repeal of two Acts of Sequestration, is required to be made:* nor any employed by private Order to receive Money for the King's Service or Supply since 1648. nor to discharge any for Monies received for the Tax of Decimation, or on the Account of any Militia settled or acted in; since 1648. and not accounted for.

XXVIII. If any the King's Menial Servants, or any having Instructions from him during the time of such Relation to him, traitterously held Intelligence with any Prince or State, or any Usurping Supream Authority in any the King's Dominions, their Ministers or Agents without the King's leave, such Persons as to such Offence shall be excepted out of this Act, so as they be outlawed or convicted thereof in two Years time from the 25th of *April* 1660.

XXIX. This Act not to discharge any Sums of Money due for Excise, whereof Entries have been made in the Custom-House, which

which have grown due since the 25th of *March*, 1658. or any Money due to the Farmers of Excise since the 25th of *March*, 1657.

XXX. Except out of this Act *J. L. W. S.* Sir *H. W. V. W. T. H. E. W. W. H. J. P. H. M. J. B. G. M. E. L.* Sir *M. L. R. T. O. R. R. L. A. S. J. O. J. H. W. G. C. H. T. C. J. C. J. J. M. C. H. S. G. C. T. W. E. H. T. S. W. C. J. D. N. L. V. P. A. G. J. D. G. F. S. M. J. T. P. T. D. B. T. W. J. C. A. B. E. D. W. H. H. P. F. H. D. A.* and those two Persons who appeared disguised on the Scaffold erected before *Whitehall* on the 30th of *Jan. Anno Dom. 1648.* but the said *O. R. A. G. E. H. H. S. H. M.* Sir *H. W. R. T. G. F. J. T. T. W. S. M. W. H. J. P. P. T. R. L. G. M. V. P. T. W.* and *J. D.* having rendered themselves according to the Proclamation of the sixth of *June*, 1660. if they shall be attainted, yet shall not be executed but by Act of Parliament.

XXXI. Except also *O. C. H. J. J. B.* and *T. P.* deceased.

XXXII. This Act shall not discharge the Lands or Goods of *O. C. H. J. J. B. T. P. J. E.* Sir *J. D.* Sir *T. M. W. P. J. B.* Sir *W. C. R. D. F. A. P. P. J. M. J. A. H. E.* Sir *G. N. J. V. T. A. A. S. T. H. J. F. T. H.* Sir *J. B.* being all of them deceased, from such Penalties and Forfeitures as by an Act of Parliament intended to be passed, shall be declared.

XXXIII. And except out of this Act *W. Lord M. J. C.* Sir *H. M.* Sir *J. H. J. P.* and *R. W.* who did act and sit in that Traiterous Assembly which proceeded against the King's Life, and are reserved to such Pains and Penalties not extending to Life, as by another Act shall be imposed on them. Except also Sir *A. H.* for such Pains and Penalties only, not extending to Life, as by an Act to be passed for that purpose, shall be imposed. *J. H.* Esq; and *F. L.* shall be incapable of any Place or Office. Sir *H. V.* and *J. L.* excepted out of this Act. If *W. L. W. B. O. S. J. I. W. S. J. D. J. B. C. P. R. K. C. F. J. P. R. D. R. C. P. N. J. G.* Sir *G. P. T. L.* and *R. C.* shall accept or exercise any Office or publick Employment in *England, Wales,* or Town of *Berwick*, they shall stand as if they were totally excepted out of this Act.

XXXIV. All who since the 5th of *December*, 1648. gave Sentence of Death in any of the late High-Courts of Justice, or Signed the Warrant for Execution of any there Condemned, (except *R. J.* and *M. Y.*) shall be incapable of bearing any Office, or serving as a Member of Parliament.

XXXV. The Trustees appointed in a pretended Act, 1649. concerning Tythes impropriate, Oblations, &c. shall account for all such Profits received, and not disbursed according to that or some other Act in 1650, 1654, 1656 Receivers under them, and Occupiers of the Premises without agreeing to pay Rent, that have made no account or satisfaction to the Trustees, or with such Agreement, and have not paid it, shall account for so much as is unaccounted for, or unsatisfied: Such Accompts to be made as in Parliament shall be directed.

XXXVI. This

XXXVI. This Act not to pardon Bonds in the late King's Name before *May* 1642. for securing the Debt of any Servant or Receiver of the Revenue, not paid to, or by order of some Authority. The Estates of such who ought to have been contributory to the Payment of 150000 *l.* accepted by Order of the House of Commons of the 26th of *May*, 1641. as a Composition from the Farmers of several Customs voted to be illegally taken, shall be chargeable with the Payment of their Proportions, in whose Possession soever, Purchasers *bona fide*, and upon valuable Considerations excepted, as if this Act had not been.

XXXVII. Except out of this Act Money due for Excise of Beer, Ale and other In-land Commodities since the 24th of *June*, 1659. and Money due from Soldiers for free Quarter to any Subjects since the 2d of *July*, 1659. or borrowed by any Officers to prevent free Quarter.

XXXVIII. Persons by Name, and two Persons disguised with Frocks and Vizors excepted out of the Statute of 6 & 7 *W. 3. cap. 20. Sect. 58.*

XXXIX. No Conveyance nor Limitation of any use of Lands, &c. not being the Lands of the King, Queen, Prince, Archbishops, Bishops, Deans, Deacons and Chapters, nor sold for Delinquency of any Persons by virtue of any Order since the 1st of *Jan.* 1641. nor any Judgment or Recognizance made before the 29th of *Sept.* 1659. by any in this Act excepted by Name, or their Heirs, or any claiming under them, (other than their Wives, Children and Heirs) for Money *bona fide* paid or lent, nor any Conveyance made before the 25th of *April*, 1660. to them in trust for any other not excepted, shall be impeached or made void.

XL. This Act shall not indemnifie any who have entred into Fabrick Lands, or possess themselves of any Revenues given for Repairs of any Church, or have converted the Plate or Utensils and Materials of any Church to their own use, in respect of the Crimes only. *Confirmed 13 Car. 2. cap. 7.*

XLI. Stat. 25 *Car. 2. cap. 5.* All the King's Subjects of *England, Wales*, and the Town of *Berwick*, all Bodies Corporated, Cities, Boroughs, Shires, &c. are pardoned and discharged against the King, &c. of all Treasons, Felonies, Misprision of Treason, treasonable or seditious Words or Libels, Misprisions of Felony, Unlawful Meetings or Conventicles, any Offences whereby any may be charged with a *Premunire*: Coinings of Farthings, Half-pence, Pence, Two pence, and such like Small Money without Authority, and utterings thereof, and generally of all Offences, Contempts, Penalties and Sums of Money, and all Things, Causes, Judgments and Executions not hereafter excepted, which can by the King be pardoned before the 25th of *May*, 1673.

XLII. Grants by Persons having incurred any such Forfeiture, and hereby restored, and Executions against them, shall be of such Force as if no such Forfeiture had been.

XLIII. And

XLIII. Any Person may plead this Act without Fee or other thing, paying for Writing, Entry of the Judgment, or other Cause concerning such Plea, Writing or Entry, but only 16*d*. to the Clerk that shall enter such Plea, Matter or Judgment for the Parties Discharge.

XLIV. Officers of any of his Majesties Courts that shall make out any Writ, Process, &c. for any thing discharged by this Act: Sheriffs, Escheators, Bailiffs, or other Officers that shall levy or with-hold any thing so discharged, being thereof convicted, shall pay treble Damages to the Party grieved, and Costs of Suit, and Forfeit 10*l*. to the King; and such Writs, Process, &c. to be void.

XLV. Excepted out of this Act Treasons and other Offences against the King's Royal Person, all Treasons committed out of the Realm, all Offences in forging and counterfeiting the Great Seal, Privy-Seal, Sign Manual, or Privy Signet, or Current Money, or in diminishing the said Money, all Misprisions and Concealments of the Treasons before excepted, and all abetting, &c.

XLVI. Excepted also all Murders, Petty-Treasons, wilful Poysonings, and all Accessaries before.

XLVII. Excepted all Piracies, and procuring and abetting the Offenders, or comforting and receiving them or the Goods so taken. Except all Burglaries in Dwelling-houses, and Accessaries before. Except Buggery with Man or Beast, and Rapes of Women. Excepted all wilful taking away or marrying any Maid, Widow, Damsel against her Will or Assent of Parents, or such as have her in Custody, aiding, comforting or abetting the same.

XLVIII. Except Perjury and Subornation of Witnesses, Counterfeiting Deeds or Writings, or Examinations of Witnesses, tending to bring any Person in danger of Life, procuring and counselling the same.

XLIX. Except Forfeitures and other Profits grown due or that shall grow due to the King, for which any Action, Bill, Plaint or Information within six Years before the 13th of *Febr.* 1672. have been commenced in any Court at *Westminster*, other than for coining such Small Money, as aforesaid.

L. Except all Proceedings concerning High-ways, and Bridges, and Issues returned thereupon since the 25th of *March*, 1663.

LI. Except all Offences in imbezelling or purloyning the King's Goods, Monies, Chattels, Jewels, Armour, Ammunition, Stores, Naval Provisions, Shipping, Ordnance, or other Habiliments of War.

LII. Except all the Titles and Forfeitures grown due to the King for not performing any Covenant or Condition.

LIII. Except all Offences of Incest, Simony, Dilapidations, for which any Suit is or was depending before the first Day of this Session of Parliament.

LIV. Except all payments out of any Ecclesiastical Promotion or Benefice. Except all Duties of Custom or Subsidy, Excise, Hearth-

Hearth-money, Imposition upon Wines and other Liquors, on Proceedings at Law, Duties arising by the Wine-Licences, or the Post-Office, or other Tax, Assessment, Duty or Imposition due to the King, and all Concealments thereof, and Forfeitures arising thereby, or by Non-payment; Corruptions of Officers concerning the same, &c.

LV. Except all Debts, Accompts and Securities excepted out of the Act of Oblivion.

LVI. Except all taking from the King Goods forfeited by reason of any Treason, Petty-Treason, Murder or Felony, and the Profits of any Lands, or Hereditaments of Traitors, Murderers, Felons, or Clerks attainted, or of Lands and Hereditaments of the Possessions of any Bishoprick, the Temporalities whereof upon the said 25th of *March*, 1663. or since were, or ought to have been in the King's Hands. Except Arrearages of Rent due from any Farmer of any part of the Revenue, and Arrears of Fee-farm and other Rents. Except Accompts of Collectors, Commissioners, &c. of any Subsidy, Custom, Tonnage and Poundage, Additional Duty, Prize-Goods, or other Things grown due since the 25th of *March*, 1663. and all Accompts for Receipts or other Charges since the said 25th of *March*, and all Arrears of Accompts and untrue Accompts made since the said 25th Day of *March*.

LVII. Except Securities entred in to the Accomptants in the Exchequer, their Sureties and Accompts, and all Recognizances and Obligations for Payment of Money.

LVIII. This Act shall discharge no Recognizance or Obligation not forfeited, nor any forfeited, whereby the Farmers of any part of the Revenue ought to receive Benefit, nor any Debt due by Specialty to any indebted to the King, and seized in Aid of the King's Debt; nor any Debt whereupon any Enstallment or Seizure hath been made, or on which any thing is, or (since the said 25th of *March*) hath been answered to the King; nor any Penalties or Sums accrued to the King by reason of any Statute, and since the said 25th of *March* converted into a Debt, by Judgment, Decree or Agreement; or that have been enstalled, and any Seizure made for the same, and upon such Seizure, &c. any thing answered to the King since the 25th of *March*.

LIX. Yet Obligations and Recognizances forfeited since the said 25th of *March* for Non-appearance, not keeping the Peace, or not being of the Good behaviour, are forfeited.

LX. Excepted also Issues, Fines and Amerciaments lost or assessed since the 25th of *March*, 1663. being totted or received to the King's Use before the last Day of this Session of Parliament.

LXI. Except all Issues, Fines and Amerciaments taxed or assessed since the said 25th of *March*, asscer'd or estreated above the Sum of 6 l. and all Issues, &c. asscer'd or entred in any Court of Record at *Westminster*, within a Year before the first Day of this Session

Session of Parliament. Yet all other Fines, as well as *pro licentia concordandi*, taxed or estreated before that time, and all Issues, &c. extending to or under 6*l*. whether estreated or not, or turned into Debt or not, and not being totted or received by any Officer to the King's Use before the first Day of this Parliament, are pardoned hereby.

LXII. Yet Estreats of Fines, &c. pardoned and estreated, and remaining in the Sheriff's Hands, shall be orderly charged in the Pipe Office, that the King may be truly answered such as are not pardoned. Yet Sheriffs and other Accomptants shall upon petition have Allowance of such as are pardoned, without paying any Fees.

LXIII. This Act shall not extend to any excepted by Name out of the Act of Oblivion, nor those two Persons that appear'd upon the Scaffold disguised when the late King was murdered: Nor to restore any Capacity to take any Office or Employment to Persons disabled by that Act: Nor to give Benefit to any, who if after the first Day of *September*, 1660. they exercise any Office or publick Employment, are by the said Act to be as if they were excepted out of it by Name. Yet any Person so disabled may be chargeable with the Office of Sheriff of any County.

LXIV. Except Persons attainted by Act of Parliament or otherwise for Rebellion, levying War, or any such Conspiracy within this Realm, or other the King's Dominions, and all Persons attainted or outlawed for any Treason, Petit-Treason, Murder, wilful Poisoning or Burglary.

LXV. Except all Persons that by any Act of this Parliament are by Name exiled, or made liable to other Penalties.

LXVI. Except all Persons who after Conviction or Attainder for any Felony have desired to be Transported.

LXVII. Except all Persons who being excepted out of the *Act of Oblivion*, have any Pains or Penalties imposed on them by any subsequent Act.

LXVIII. Except all that on the first Day of this Session of Parliament were in Prison in the *Tower*, the Prison of *Marshalsea*, of the *Fleet*, of the *Gatehouse*, or elsewhere, or otherwise restrained by express Direction of his Majesty or Privy Council.

LXIX. Officers of the King's Courts may award *Cap. utlagat*. against such Persons outlawed as are pardoned by this Act, at the Plaintiff's Suit, and such Persons shall sue a *Scire fac.* against the Parties at whose Suit, &c. before this Pardon be allowed them.

LXX. This Act shall not extend to Persons outlawed upon a *Ca. Sa.* till Satisfaction or Agreement with the Party at whose Suit.

LXXI. Persons hereby pardoned may plead the General Issue, and give this Act in Evidence.

LXXII. This Act shall discharge all the Premises intended to be pardoned, as well against all claiming the same under Letters Patents from the King, &c. as against the King himself.

¶ Parliament.

¶ Parliament.

I. *The Mirrour of Iustices, Cap. 1. Sect. 3. Anno Alfredi primi Monarchæ, Anno Domini.* Parliaments shall be held twice a Year, and oftner if need require. *But note, that this was by the King and the Lords only, and in time of Peace.*

II. *Stat. 4 E. 3. 14.* A Parliament shall be holden once a Year, and oftner, if need be.

III. *Stat. 36 E. 3. 10.* A Parliament shall be holden every Year.

IV. *Stat. 5 R. 2. Stat. 2. 4.* Every Person and Commonalty having Summons of Parliament shall come thither, in pain to be Amerced, or otherwise Punished: And if the Sheriff doth not Summon them, he shall be likewise Amerced, or otherwise Punished, as hath been used in times past.

V. *Stat. 12 R. 2. 12.* The levying of the Expences of Knights coming to Parliament, shall be made as in times past. And if any Lord or other have purchased Lands or other Possessions that were wont to be contributory to such Expences, they shall still continue to be so, notwithstanding such Purchase.

VI. *Stat. 7 H. 4. 15.* The Election of the Knights of the Shires shall be as followeth, viz. At the next County after the delivery of the Writ, Proclamation shall be made in full County of the Day and Place of the Parliament, and that all there present, as well Suitors summoned as otherwise, shall attend to the Election of the said Knights; and then in full County a free and indifferent Election shall be made, notwithstanding any Request or Command to the contrary.

VII. After such Choice, the Names of the Parties so chosen (be they present or absent) shall be written in an Indenture under the Seals of all them that did chuse them; which Indenture so sealed, and tacked to the said Writ, shall be the Sheriffs Return thereof touching the Knights of the Shires: And in such Writs this Clause shall be hereafter put, *Et Electionem tuam in pleno Comitatu tuo factam distinte & aperte sub Sigillo tuo, & Sigillis eorum qui electioni illi interfuerunt, nobis in Cancellaria nostra ad diem & locum brevi contentum certifices indilate.*

VIII. *Stat. 11 H. 4. 1.* Justices of Assise shall have power to inquire in their Sessions of Returns made by the Sheriffs contrary to the Statute of 7 H. 4. 15. And if it be found by Inquest, that any Sheriff hath made any such Return, he shall Forfeit 100 l. to the King, and the Knights so unduly returned, shall lose their Wages.

IX. *Stat. 1 H. 5. 1.* All former Statutes made for the Election of Knights of the Shire are confirmed.

X. They shall be resiant in the County for which they are chosen, the day of the date of the Writ of Summons; so also shall they

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be that chuse them. Also Citizens and Burgeſſes ſhall be reſiant in and free of the Cities and Boroughs for which they are choſen.

XI. Stat. 6 H. 6. 4. Knights of the Shires, and Sheriffs againſt whom any Inqueſt of Office for undue Elections are found before the Juſtices of Aſſiſe ſhall have their Answer, and tra-verſe there-unto, and ſhall not be damnified thereby, until they be duly Con-vict thereof according to Law.

XII. Stat. 8 H. 6. 1. The Clergy called to the Convocation by the King's Writ, together with their Servants and Families, ſhall fully uſe and enjoy ſuch Liberty, or Defence in coming, tar-rying and returning, as the Great Men and Commonalty of the Realm called to Parliament do, or ought to enjoy.

XIII. Stat. 8 H. 6. 7. The Election of Knights of the Shire ſhall be made by the more Voices of People dwelling in the Counties, having each of them Lands or Tenements to the yearly Value of 40 s. beſides Reprife. Also the Knights ſo choſen ſhall be reſiant within the ſame Counties.

XIV. The Sheriff hath power to examine upon Oath the Chu-ſers how much they may expend by the Year.

XV. If the Sheriff be found by Inqueſt, and attainted before Juſtices of Aſſiſe, to have done contrary to this Act, he ſhall Forfeit 100 l. to the King, and ſuffer 2 Years Imprisonment without Bail; and in that caſe the Knights ſo returned ſhall loſe their Wages.

XVI. He that cannot expend 40 s. *per Annum*, ſhall have no Voice in the Election of Knights for the Parliament; and here-after in every Writ iſſued out for that purpoſe, mention ſhall be made of this Ordinance.

XVII. Stat. 10 H. 6. 2. A Chuſer of Knights of Parliament muſt be reſident, and have Freehold with 40 s. *per Annum*, be-ſides Reprifes within the ſame County.

XVIII. Stat. 23 H. 6. 11. The Sheriff in the next County-Court after he ſhall have received the Writ for aſſeſſing the Wa-ges of the Knights of Parliament, ſhall make Proclamation, that the Coroners, Chief Conſtables, Bailiffs, and all others (that will) appear at the next County-Court, to aſſeſs the ſame Wages, at which laſt County the Sheriff and the other Officers ſhall be pre-ſent in proper Perſon, in pain that every one that makes Default ſhall Forfeit 40 s. And then the Sheriff ſhall in full County aſſeſs every Hundred by it ſelf, and every Town in each Hundred by it ſelf: So as the Sum aſſeſſed upon all the Hundreds exceeds not the entire Charge of the County; nor that aſſeſſed upon all the Towns in each Hundred exceeds not the Sum charged upon the Hundred in which they be.

XIX. The Sheriff or other Officer which levies more than is ſo aſſeſſed, ſhall Forfeit 20 l. to the King, and 10 l. to the Proſecu-tor: For the Recovery of which 10 l. the ſaid Proſecutor ſhall have a *Scire facias*; and if the Defendant make Default, or appear, and

and is afterward Convict, he shall recover the said 10*l.* to his own use, (over and above the said 20*l.*) and besides treble Damages for Costs of Suit.

XX. The Sheriff shall levy the said Assessments as speedily as may be after they are so assessed, and shall deliver them to the Knights.

XXI. Justices of both Benches, Justices of Assise, Goal-delivery and Peace, have power to hear and determine these Abuses, as well at the Suit of the King, as for the Party.

XXII. This Assessment shall not be levied but only in Places where it hath been formerly levied: And hereafter in every Writ for the levying of such Wages this Act shall be inserted.

XXIII. Stat. 23 *H. 6.* 15. These Statutes of 1 *H. 5.* 1. and 8 *H. 6.* 7. shall be kept in all Points.

XXIV. The Sheriff, after the Receipt of the Writ, shall deliver a Precept under his Seal to every Mayor and Bailiff, or Bailiffs or Bailiff where no Mayor is, of the Cities and Boroughs within his County, reciting the Writ, and commanding them, if it be a City, to chuse, by the Citizens of the same City, Citizens, and if a Borough, Burgeses, to come to the Parliament: And such Head-Officers shall lawfully return such Precept to the same Sheriff by Indenture betwixt them of such Elections, and the Names of the Citizens and Burgeses so chosen, and thereupon the Sheriff shall make a Good Return of every such Writ, and also of every such Return made by the said Head-Officers.

XXV. If the Sheriff aforesaid do contrary to this Act, or any other formerly made for the Election of Knights, Citizens and Burgeses, the Sheriff shall incur the pain contained in the said Statute of 8 *H. 6.* 7. and besides shall Forfeit to the Person so chosen, and not duly returned, 100*l.* more, to be recovered by Action of Debt by the said Person so chosen against the said Sheriff, his Executors and Administrators, or (in his Default) by any other Prosecutor; in which Action no Essoign, &c. shall be allowed. And if such Head-Officers shall make a false Return, they shall Forfeit 40*l.* to the King, and 40*l.* more to the Person so chosen and not returned, to be recovered by such Person or other Prosecutor, in manner aforesaid.

XXVI. The Sheriff that maketh not due Election of Knights, betwixt the Hours of eight and eleven in the Forenoon, and a good and true Return in manner aforesaid, shall incur the Pain of 100*l.* to the King, and as much to any that will sue for the same.

XXVII. The Party grieved shall commence his Action within three Months after the beginning of the Parliament; and, in his Default, the Prosecutor may then take it.

XXVIII. If any Knight, Citizen or Burgess returned by the Sheriff, be put out, and another put in his Place, the Person so put in (if he take the Place upon him) shall Forfeit 100*l.* to the King,

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and so much to the person so put out, who shall have an Action of Debt for the same, if he commence his Suit within three Months after the beginning of the Parliament.

XXIX. The Knights of the Shire shall be notable Knights of the same County for which they are chosen, or else notable Esquires or Gentlemen born in the same County, and such as are able to be Knights; but none shall be such a Knight which standeth in the Degree of a Yeoman, or under.

XXX. Stat. 6 H. 8. 16. No Knight, Citizen, Burgeses or Baron of any of the *Cinqve Ports* shall depart from the Parliament without the Licence of the Speaker and Commons in Parliament assembled, to be entred upon Record in the Clerk of the Parliaments Book, in pain to lose their Wages.

XXXI. Stat. 33 H. 8. 21. The King's Royal Assent by his Letters Patents under the Great Seal, and signed by his Hand, and notified in his absence to the Lords and Commons assembled in the Upper House, is and ever was, of as good Strength and Force as if the King were personally present, and had publickly assented thereunto.

XXXII. Stat. 35 H. 8. 11. Whereas Knights and Burgeses of Parliament in *England* and *Wales* have used to have allowed them, viz. The Knights 4 s. and the Burgeses 2 s. a day, or more, during the Parliaments, and their reasonable Time of coming to and returning from the Parliament, together with their Costs of Writs, and other ordinary Fees and Charges: by this Statute it is ordained, That the Sheriffs of all the Twelve Shires in *Wales* and the County of *Monmouth*, shall have power to levy the said Fees of the Inhabitants of those Shires and Counties, and shall pay them to the Knights in two Months after the said Knights shall have delivered unto them their Writs *De Solutione feodi Militie Parliamenti*, in pain to Forfeit Twenty pounds to be recovered by Bill, Plaint, &c. and to be divided betwixt the King and the Prosecutors; and for every Month that such default is made after the said two Months, Twenty pounds more, to be levied as afore said. The Head Officers also of the Cities and Boroughs in the said Twelve Shires and County shall levy and pay their Burgeses Wages and Fees within the like time after the Writs *De Solutione feodi Burgensf. Parliamenti* delivered unto them, upon the like pains, to be levied of the Goods and Chattels of such Head Officers.

XXXIII. The Inhabitants of the Cities and Boroughs in the said Shires and County, which, having no Burgeses of their own, use to contribute towards the Wages of the Burgeses of the Shire-Towns, shall have Warning by Proclamation, or otherwise, from the Head Officers of the said Towns, to come and give their Voices at the Electing of the Burgeses of such Shire-Towns.

XXXIV. Two Justices of Peace in each of the said Shires and Counties have Power to tax every City and Borough in the several Counties where they inhabit respectively, towards the Wages of the Burgesses within the Shire-Towns; which Taxes shall be again rated upon the Inhabitants of each such City and Borough by Four or Six discreet and substantial Burgesses there; and then levied and paid by the Head Officers unto the Burgesses of Parliament for the said Shire-Towns, in manner and form aforesaid, and upon like pains.

XXXV. Stat. 12 Car. 2. cap. 1. Declared that the Parliament begun the Third of November, 16 Car. 1. is dissolved, and that the Lords and Commons now sitting are the two Houses of Parliament, notwithstanding any want of the Kings Writ of Summons, or any other defect.

XXXVI. Stat. 13 Car. 2. cap. 1. They that shall advisedly publish or affirm, That the Parliament begun at *Westminster* the Third of November, 1640. is not yet dissolved, or that there lies any Obligation upon them, or any other from any Engagement whatsoever, to endeavour a Change in Church or State, or that both or either Houses of Parliament have a Legislative Power without the King, or words to the same effect, shall incur the Penalty of a *Premunire* mentioned in a Statute made 16 R. 2. It is hereby also declared, That the solemn League and Covenant was an unlawful Oath, and imposed against the Laws of this Kingdom. All Ordinances of both or either Houses of Parliament for imposing Oaths, Covenants or Engagements, levying Taxes, and raising Forces and Arms, without the Royal Assent, were void, but may be made use of according to the Act of Indemnity, 12 Car. 2. cap. 11.

XXXVII. None to be prosecuted for these Offences but by Order of the King, under the Sign Manual, or of the Council-Table, to some of the King's Council Learned, not to incur the Penalty aforesaid, unless prosecuted within six Months after the Offence committed, and indicted within three Months after such Prosecution.

XXXVIII. Offences within this Act must be proved by two Witnesses, who at the Offenders Arraignment must be brought before him Face to Face.

XXXIX. A Peer convicted shall be disabled during his Life to sit in Parliament, unless the King pardon him. His Pardon shall restore Peers and Commons, as if they had never been convicted.

XL. Stat. 16 Car. 2. cap. 1. The sitting and holding of Parliaments shall not be intermitted or discontinued above three Years.

XLI. Stat. 25 Car. 2. cap. 7. An Act to enable the County Palatine of *Durham* to send Knights and Burgesses to serve in Parliament. *Vid. Tit. Durham, Sect. 14.*

XLII. Stat.

XLII. Stat. 30 Car. 2. cap. 1. Stat. 2. No Peer shall vote, make Proxy, or sit during any Debate in the House of Peers; nor any Members of the House of Commons vote or sit there after their Speaker chosen, till they first take the Oaths of Allegiance and Supremacy, and subscribe and repeat this Declaration, between the Hours of Nine in the Morning and Four in the Afternoon, at the Tables in the middle of the said Houses in a full House, in such Order as each House is called over by, viz.

I A. B. do solemnly and sincerely in the presence of God, profess, testify and declare, That I do believe that in the Sacrament of the Lords Supper, there is not any Transubstantion of the Elements of Bread and Wine into the Body and Blood of Christ, at or after the Consecration thereof, by any Person whatsoever; and that the Invocation or Adoration of the Virgin Mary, or any other Saint, and the Sacrifice of the Mass, as they are now used in the Church of Rome, are Superstitious and Idolatrous. And I do solemnly in the presence of God, profess, testify and declare, That I do make this Declaration and every part thereof, in the plain and ordinary sense of the Words read unto me, as they are commonly understood by English Protestants, without any Evasion, Equivocation or Mental Reservation whatsoever, and without any Dispensation already granted me for this purpose by the Pope, or any Authority or Person whatsoever, or without any Hope of any such Dispensation from any Person or Authority whatsoever, or without thinking that I am or can be acquitted before God and Man, or absolved of this Declaration, or any part thereof, although the Pope or any other Person or Persons or Power whatsoever should dispense with, or annul the same, or declare that it was null and void from the beginning.

See *Washington Tit. Scotland, Sect. 9. Art. 22.*

XLIII. Every Peer of this Realm, and Member of the House of Peers, and every Peer of Scotland or Ireland of twenty one years of Age, or upwards, and every Member of the House of Commons not having taken the said Oaths, and made and subscribed the said Declaration, and all Persons convict of Recusancy, that shall remain in the King's or Queen's Presence, or come into any House where they reside, shall incur and suffer the Penalties in this Act mentioned, unless such Person shall in the next Term after take the said Oath, and make the said Declaration in the Court of Chancery, between the Hours of Nine and Twelve.

XLIV. Peers and Members of the House of Commons offending against this Act, shall be adjudged *Popish* Recusants Convict, and be disabled to hold any Office in England or Ireland, or any Islands or Plantations to them belonging, or to sit in Parliament, or make a Proxy in the House of Peers, or to prosecute any Suit, to be Guardian, Executor or Administrator, or to take any Legacy or Deed of Gift: and for every Offence shall Forfeit 500*l.* to him that will sue for the same.

XLV. The House of Peers and House of Commons may at any time cause all or any Members of their respective Houses to take the said Oaths, and make and subscribe the said Declaration: and every Peer or Member of the House of Commons presuming to sit in either House, without taking the said Oaths, and subscribing the said Declaration, according to such Order, shall be disabled to sit there during that Parliament, or to make a Proxy in the House of Peers.

XLVI. The place of every Member of the House of Commons disabled by this Act to sit there, is hereby declared to be void, and a new Writ shall issue out of *Chancery* by Warrant from the Speaker and Order of the House of Commons for a new Election.

XLVII. The Kings or Queens sworn Servants not having before the First day of *December*, 1678, taken the Oaths, and made and subscribed the Declaration contained in the Act of 23 *Car. 2. cap. 2.* shall take the Oaths and make the Declaration aforesaid in the Court of *Chancery* in the next Term after the said First day of *December*, or after they shall be sworn Servants; or in case of Sickness proved upon Oath, and allowed under the Hand of the Lord Chancellor or Keeper, then in the next Term after such Impediment removed. Persons neglecting to do the same, and yet coming into, or remaining in the presence of any King or Queen of this Realm, or coming into any House where they reside, shall suffer all the Penalties and Disabilities of this Act.

XLVIII. This Act shall not extend to any natural-born Subject of the King of *Portugal*, who is or shall be the Queens Servant, not exceeding Nine at once; nor to such Women Servants as the Queen shall nominate under her Hand and Seal, not exceeding Nine at once.

XLIX. The said Oaths, Declaration and Subscription, together with a Schedule of their Names that shall take and subscribe them, shall be filed in Parchment Rolls by the Clerks of the House of Lords, House of Commons, and Petty-Bag, without any Fee, but only 12 *d.* all which Rolls the said Clerks shall shew to any person without Fee.

L. This Act shall not extend to any person for coming to, or remaining in the Kings or Queens presence, that shall have Licence so to do by Warrant of six Privy-Counsellors, or Order of Council, so as such Licence exceed not above Ten days, and be filed in the Petty-Bag.

LI. Offenders taking the said Oaths, and making the said Declaration after such Offence committed, shall from thenceforth be freed from all Penalties as *Popish* Recusants convict by virtue of this Act, and from all Disabilities incurred thereby; but not restored to any Office supplied upon Voidance by this Act, nor to any other, till after one year after the taking the said Oaths, &c. nor discharged of the Forfeiture of 300 *l.*

LII. This Act shall not extend to the Duke of *York*.

LIII. 30 *Car.*

Parson, Vicar, Parsonage & Vicarage. 469

LIII. 30 *Car. 2. Stat. 2. cap. 1.* and all other Acts to so much as concerns the taking Oaths of Allegiance and Supremacy by Members of Parliament, repealed, and new Oaths substituted, *1 W. & M. cap. 1.*

LIV. Refuser to subscribe the said Declaration, deemed a Popish Reculant Convict, *1 W. & M. cap. 8. Sect. 9. and cap. 9. Sect. 2. and 1 W. & M. cap. 15.*

LV. Offenders against this Act excepted out of the general Pardon, *per Stat. 6 & 7 W. 3. cap. 20. Sect. 32.*

Parson, Vicar, Parsonage and Vicarage.

I. *Stat. 14 E. 3. Stat. 1. 17.* Parsons, Vicars, Wardens of Chapels, and Provosts, Wardens, and Priests of perpetual Chanteries, shall have their Writs of *Juris Utrum* of Lands and Tenements, Rents and Possessions annexed and given perpetually in Alms to Vicarages, Chapels or Chanteries, and recover by other Writs in their Case, as far forth as Parsons of Churches and Prebends.

II. *Stat. 29 Car. 2. cap. 8.* Every Augmentation granted, reserved or agreed to be made payable, or so intended, since the First of June in the Twelfth year of the King, or which shall be granted, &c. to or for the use of any Vicar or Curate by any Ecclesiastical Corporation, person or persons whatsoever, out of any Rectory impropriate, or Portion of Tythes, shall continue during the Estate upon which it was granted, reserved, &c. and afterwards. The said Vicars and Curates are hereby judged in actual possession thereof to them and their Successors, and shall have Remedy for the same by Distress or Action of Debt; any Disability in the Person or Corporation granting, or in the Vicars and Curates, the Statute of *Mortmain*, &c. notwithstanding.

III. No future Augmentations shall be confirmed hereby, which shall exceed one Moiety of the clear yearly value, above Reprizes, of the Rectory, out of which, &c.

IV. Every Archbishop, Bishop, Dean and Chapter shall, before the 29th of September next, cause every Lease or Grant whereon such Augmentation is made, to be entred in a Book of Parchment to be kept by their Registrars, and every other Ecclesiastical Person shall cause every such Lease, &c. made by himself or his Predecessors, to be entred there; for which no Fee shall be paid, save only 5 s. at most to the Clerk: Which Entry being examined by the respective Archbishop, Bishop, &c. and by them attested in the said Book to be a true Copy, and that the Augmentation was intended for such use, shall be as a Record, a Copy whereof proved by Witnesses, shall be Evidence at Law.

V. Where any Ecclesiastical Corporations or Persons on the renewing or granting any Lease or Estate, have made any Agreement for an Augmentation for the Vicar or Curate, which hath been

paid, though such Agreement were not expressed in the Lease, &c. they shall cause the Substance of such Agreement to be entered in the said Book.

VI. If Questions arise, such favourable Constructions and further Remedy shall be had and made for the Benefit of the Vicars, &c. as may be upon the Statutes for Charitable Uses.

VII. New Leases without exprefs Continuance of the said Augmentations shall be void.

VIII. This Act shall not invalidate a Lease of the 10th of Octob. 1676. made by the Dean and Chapter of *York*, of the Parsonage and Tythes of *Stourton* in *Nottinghamshire*; nor a Lease lately made by the Dean and Chapter of *Exon* to *Arthur Spray* Esq; of the Tythe-sheaf of the Parish of *St. Eval* in *Cornwall*.

Partitions and Parceners.

I. *Statutum Hibernie*, 14 H. 3. If Land descend to several Coparceners, they shall all hold of the Chief Lord of the Fee, and not one of another. This is the Usage in *England*, and shall also be observed in *Ireland*.

II. *Herog. Reg.* 5. 17 E. 2. If one Inheritance that is holden of the King in Chief, descend to many Parceners, all the Heirs shall do Homage to the King, and that Inheritance shall be divided amongst those Heirs, so that every of them after shall hold their part of the King.

III. *Stat.* 31 H. 8. 1. Joynt-Tenants and Tenants in Common of any Inheritance in their own Right, or in the Right of their Wives, in any Manors, Lands, Tenements or Hereditaments, may be compelled to make Partition by Writ *De partitione facienda*, as Coparceners are compellable to do; and this Writ shall be pursued at the Common Law.

IV. Provided, That after such Partition made, they shall have aid one of another, and of their Heirs, to deraign Warranty, and to recover, for the rate as Coparceners use to have.

V. *Stat.* 32 H. 8. 32. Joynt-Tenants, and Tenants in Common, that have Inheritance or Free-hold in any Manors, Lands, Tenements or Hereditaments, shall be also compellable to make Partition by the said Writ to be pursued upon their Case. Howbeit such Partition shall not be prejudicial to any but the Parties to such Partition, their Executors and Assigns.

Passage and Arrivage.

I. *Stat.* 8 H. 6. 27. Any of the Inhabitants of *Tewksbury* in *Com. Gloucester*, may have an Action of Debt. (according to the Statute of *Winchester*) to recover against the Commonalty of the Forest of *Dean*, and Hundred of *Bledislow* and *Westbury*, (though no Commonalty) recompence for Robberies and Wrongs done them

them upon *Severn*. Also the Goods of any private Person may be taken upon an Execution awarded against the Commonalty. Any Person may arrest and imprison the Offenders; and he whose Goods are taken in Execution, may have an Action of Trespass or Debt against the Offender.

II. Stat. 9 H. 6. 5. All Persons shall have free Passage in *Severn* with Flotes and Drags, and all other Merchandize, Goods and Chattels; and if any be disturbed, he shall have his Remedy by Action at the Common Law.

III. Stat. 19 H. 7. 18. Another stricter Statute for the free Passage of *Severn*. See the Statute at large.

IV. Stat. 23 H. 8. 12. None shall interrupt the Passage upon the Banks of *Severn*, or take or ask any Tax or Toll for the same, in pain of 40 s. to be divided betwixt the King and the Party grieved.

V. Stat. 26 H. 8. 5. Justices of Peace in the Counties of *Gloucester* and *Somerset* in Sessions, shall bind Keepers of Ferries over *Severn* by Recognizance with good Sureties, that they shall not transport any Passenger or Cattle out of *England* into *Wales*, or the Forest of *Dean*, or from either of those Places into *England*, before Sun-rising, or after Sun-set, unless such as they know, and will answer for; and besides, the Parties so offending shall thereby incur Fine and Imprisonment.

VI. Stat. 2 & 3 P. M. 16. At the first Court of Aldermen in *London* next after the First of *March*, out of the Watermen betwixt *GraveSEND* and *Windsor*, there shall be eight chosen for Overseers, which shall have power to keep good Order amongst the rest.

VII. Two Watermen shall not carry any, but where one of them hath exercised that Profession two years before that time, and hath been allowed by the greater part of the said Overseers under the known Seal, in pain to be committed to one of the Counters by the said Overseers for one Month, or for less time, as the Offence shall deserve.

VIII. No single Man, which is no Housholder, nor retained as an Apprentice, or as a Servant for one year at least, shall exercise that Profession betwixt the places aforesaid, in pain of like punishment.

IX. The Lord Mayor and Aldermen of *London*, and the Justices of the Peace within the Counties adjoyning to the River of *Thames*, upon Complaint of any two of the Overseers, or of any Waterman's Master, have power not only to hear and determine any Offences committed against this Act, and to enlarge any Waterman unjustly punished by the said Overseers, but likewise to inflict punishment upon the Overseers themselves, in case they unjustly punish any person by colour of this Act.

X. A Wherry that is not twelve Foot and an half long, and four Foot and an half broad in the Mid-ship, and sufficient to carry two persons on one side right, shall be Forfeited in which

case the King and Queen shall have the one Moiety, and the Informer the other.

XI. That Waterman that withdraws himself in time of pressing (it being proved by two Witnesses before the said Mayor, Aldermen, or Justice, and two of the said Overseers) shall suffer a Fortnights Imprisonment, and shall be prohibited to row any more upon the *Thames* for a year and a day after.

XII. The Overseers shall not only call the Watermen before them, direct them and register their Names, but likewise examine their Boats before they be launched, whether they have due proportion and goodness according to this Act.

XIII. If the Overseers refuse or neglect their Office, they shall Forfeit $\text{5} \text{ l.}$ whereof the King and Queen shall have the one Moiety, and the Informer the other.

XIV. The Court of Aldermen shall assess the Fares of Watermen, which, being subscribed by two of the Privy-Council (at least) shall be set up in *Guild-hall, Westminster-Hall, &c.* And the Waterman that takes more than according to the Fare so assessed, shall for every such Offence suffer half a years Imprisonment, and forfeit Forty shillings to be divided as before.

XV. Stat. 1 Jac. 1. 16. No Waterman shall retain any Servant or Apprentice, unless he himself hath been an Apprentice to a Waterman by the space of Five years before; and not an Apprentice under the Age of Eighteen years, or for less time than Seven years, in pain to Forfeit for every such Offence Ten pounds, to be divided betwixt the King and the Prosecutor. *This Clause and the next, as to its Restriction of taking Apprentices till 18 and 16 Years of Age, repealed per 4 Anna, cap. 13. Vide Washington Tit. Watermen 19.*

XVI. This Act shall not restrain Watermens Sons of convenient Growth and Strength, and formerly trained up in Rowing, but that they be allowed to serve as Apprentices, and to carry Passengers from place to place, at the age of Sixteen years.

XVII. The eight Overseers shall yearly, upon the First day of *March*, and the First day of *September*, cause openly to be read in their Common-Hall all their Orders made or to be made, in pain that every of them for every such default shall Forfeit twenty Nobles, to be divided betwixt the King and the Prosecutor.

XVIII. Stat. 14 Jac. 1. 32. The River of *Thames* shall be made Navigable for Barges, Boats and Lighters, from the Village of *Bertot* in the County of *Oxon*, unto the University and City of *Oxon*. See the Statute at large.

Patents.

I. *Pierog. Reg. Cap. 15. 17 E. 2.* The Kings Gift or Grant of Land or Manors *cum pertinentiis*, conveyeth not Knights Fees, Advowsons or Dowers, without express words.

II. Stat.

II. Stat. 11 R. 2. 8. All Annuities or other things given or granted by the King, his Father or Grandfather, with this Clause, *Quousque pro statu suo aliter duxerimus ordinandum*, shall be void, if other things have been afterwards accepted by the Grantees thereof.

III. Stat. 1 H. 4. 6. To the intent that the King might not hereafter be deceived in his Grants, he is content (by the Assent of the Lords Spiritual and Temporal, and at the Request of the Commons) to be hereafter concluded by the Wise Men of his Council in things touching the Estate of him and his Realm, saving always his Liberty.

IV. In a Petition to the King for Lands, Annuities, Offices, &c. their Value shall be therein expressed; otherwise the Letters Patents thereupon shall be void.

V. Stat. 18 H. 6. 1. All Letters Patents which bear not date the Day of the delivery of the King's Warrants into the Chancery, shall be void.

VI. Stat. 6 H. 8. 15. If any make suit to the King for Lands, Offices, or other things formerly granted to any Person during the King's Pleasure, the first Patentee being still in Life, the last Grantee shall express in his Petition or Patent the former Patent, and the Determination of his Pleasure concerning the same, otherwise the last Grant shall be void.

VII. Stat. 34 & 35 H. 8. 21. The King shall hold and enjoy all Honors, Manors, Lands and other Hereditaments, which he hath obtained since the fourth of *February*, in the twenty seventh Year of his Reign, or shall hereafter obtain within seven Years next after the making of this Act, by Bargain, Exchange or Purchase, notwithstanding any Mis-recital, Non-recital, or not naming of the said Honors, &c. or of the Places where they lie, or of any part thereof, or any other Matter or Cause whatsoever.

VIII. The Right of others is saved, save only for Rents-Services and Rents-Secks.

IX. All Letters Patents and Grants made by the King since the said 4th of *February*, or which shall be hereafter made by him within seven Years next after the making of this Act, shall be good notwithstanding any Mis-naming, Mis-recital, Non-recital, not finding of Offices, Mis-recital or Non-recital of Leases, uncertainly mis-casting, rating or setting forth of the yearly Values or Rate of the things granted, or of the yearly Rents thereof, want of Attornment and Livery of Seisin, or the mis-naming of the places where the things granted do lie, or of the Tenants or Farmers of them, or any of them.

X. Provided, That (notwithstanding this Act) the King's Grants of Offices, and their Fees for keeping of Castles, Houses, Parks, Chases, Forests, or Block-houses, shall be void, when the Cause of exercising such Offices is determined.

XI. Pro-

XI. Provided also, That this Act shall not extend to revive any Letters Patents, or any Office granted by the King, which have been made void by Authority of Parliament, Judgment, Decree or otherwise.

XII. This Act shall not be prejudicial to any Letters Patents, Indentures or Writings made after the said 4th of *February*, and before the 28th of *April*, in the twenty eighth Year of the King's Reign, or to any other Statute made for the Corroboration of such Letters Patents, Indentures or Writings.

XIII. Stat. 1 E. 6. 8. Such another Statute made for the Confirmation of all Grants made, and to be made by E. 6. from the 28th of *January*, in the first Year of his Reign, and so during his Life, with such Proviso's and Limitations as in the former Act of 34 and 35 H. 8. are contained. See the Statute.

XIV. Stat. 7 Ed. 6. 3. A Confirmation of the King's Letters Patents, notwithstanding his Nonage, or any Statute heretofore made for the Reservation of Tenures, Rents or Tenths.

XV. Stat. 4 & 5 P. & M. 1. Another like Act made for the Confirmation of all Grants made, and to be made to or by the Queen, or the King and Queen, from the first of *July* in the first Year of her Reign, and so during her Life, with such Proviso's and Limitations as in the said former Acts of H. 8. and E. 6. are contained.

XVI. Stat. 18 Eliz. 2. Another like Confirmation of all Grants made to, or by the Queen, or to be so made within seven Years next after the end of this Session, with like Proviso's and Limitations as in the former Statutes.

XVII. Stat. 35 Eliz. 3. All Abby-Lands which came to the hands of H. 8. shall be adjudged to have been in his actual and lawful Possession, notwithstanding any Defect, Want or Insufficiency of or in any Surrender, Grant or Conveyance thereof, or of any part thereof, made to the said King, or any other Matter or Cause whatsoever, whereby he might have been entitled therunto.

XVIII. All Letters Patents made by him (since the fourth of *February* in the twenty fifth Year of his Reign) for the Foundation of any Dean and Chapter, or College, shall be adjudged good.

XIX. The Right of all others (except of Abbots, Priors, &c.) is saved.

XX. Stat. 43 Eliz. 1. All Grants made to the Queen since the 8th of *February* in the twenty seventh Year of her Reign (except by Ecclesiastical Persons, or Bodies Politick, not having power or ability to make such Grants) are confirmed.

XXI. The Right of all others is saved, except of the Parties and Privies to such Grants.

XXII. All Grants made by the Queen to others since the said time, as also all others that should be made (by force of a Commission then on foot) before the end of this Session, or within one Year after, shall be good.

XXIII. The

XXIII. The Letters Patents of all such Grants shall be expounded most beneficially to the Patentees, any Mis-naming, Mis-recital, Non-recital, &c. notwithstanding.

XXIV. This Act shall not extend to Letters Patents of Offices, nor of Concealments, except such Concealments only as are sold by Commissioners.

XXV. Neither shall this Act extend to make good any Letters Patents heretofore adjudged void by any Court of Record at *Westminster*, or by Act of Parliament; neither yet those of Monopolies for Toleration of any Offence prohibited by any Penal Law; nor of Lands where there is an Estate-tail in the Queen, unless such Estate be duly recited.

XXVI. Here also the Right of others is saved.

XXVII. Stat. 21 Jac. 1. 25. Neither the King, nor any other claiming from, by, or under him, shall hereafter take advantage against the King's Patentees or Tenants, for default of payment of Rent, or other Duty to be performed, so as the Rent be paid, or such Duty performed, before such advantage taken, or any Commission awarded to enquire, or other Process shall be issued for such Forfeiture.



Paving.

I. Stat. 24 H. 8. 11. The Street-way between *Charing-Cross* and *Strand-Cross* shall be sufficiently paved at the Charge of the Owners of the Lands adjoyning to the same, and shall also be afterwards repaired by them, in pain to forfeit to the King 12 d. for every Yard square not so paved and repaired. And 25 H. 8. the like for *Holborn* and *Southwark*.

* II. Stat. 32 H. 8. 17. All Persons having Lands betwixt *Algate* and *White-Chapel Church*, or in *Chancery-Lane* *Greys-Inn-Lane*, *Shoe-Lane*, *Fetter-Lane*, or in the way betwixt *Holborn-Bars* and *High-Holborn*, as far as any Houses are there built, shall before the 24th of June, 1542. sufficiently pave so much of the Streets and Lanes aforesaid as are next adjoyning to their said Lands, and continue them in good repair, in pain to forfeit for every Yard square not so paved or repaired, 6 d.

III. The Mayor, Aldermen and Justices in *London*, and the Justices of Peace in *Middlesex*, have Power within their respective Jurisdictions to enquire, hear and determin in Sessions the Defaults. And in case the said Justices shall be found remiss therein, they shall respectively forfeit 5 l.

IV. The Clerk of the Peace of *Middlesex* shall duly escheat into the Exchequer the Fines and Forfeitures happening upon this Act, in pain of 5 l. to be divided betwixt the King and the Prosecutor.

V. Any three Justices in *London*, whereof the Mayor is to be one, have power to set Fines upon such as do not pave or repair any Street or Lane in *London*, or the Liberties thereof, to be levied by

by Distress, Plaint or Action, by the Chamberlain, to the use of the Mayor and Commonalty of the said City.

VI. The Inhabitant paying his part in the said Streets or Lanes, may default so much of his Rent from his Lessor as the Charge thereof shall amount unto, unless it be otherwise agreed betwixt them.

VII. Stat. 34 & 35 H. 8. 12. Another like Statute for the paving and repairing of *White-Cross-Street*, *Chiswel-Street*, *Golding-Lane*, *Grub-Street*, *Goswel-Street*, *Long-Lane*, *Saint Johns-Street*, the Streets there leading from the Bars to *Cow-Cross*, *Water-Lane* in *Fleet-Street*, the Streets behind *Saint Clement's Church* without *Temple-Bar*, the way from the *West-Bars* in *Totbil-Street* in *Westminster* to the West-end of *Petit France*, the way without *Bishops-Gate* above *Shoreditch Church*, *Strand-Bridge*, and the way leading from thence towards *Temple-Bar*, and *Foscue-Lane* leading down to *Strand Bridge*. And (in the said Act) the Justices of *Middlesex* have also Power to set Fines upon the Defaulters at their Discretion.

VIII. Stat. 13 El. 23. Another Act of like nature for paving and keeping in repair the Way without *Algate*, called the Bars without *Algate*; another leading from the *Old Cage* there to the North end of *Nightingale-Lane*; and another, between the said *Old Cage* and *Cross-Mill* in the Parish of *Saint Mary*: the pain for default being 3 s. 4 d. to the Queen for every Yard square not so paved or repaired. This Act likewise provides for the scowring and cleansing of certain Ditches thereabouts.

IX. Stat. 18 El. 19. An Act for the paving of *Chichester*.

X. Stat. 23 El. 12. Another Act for the paving of the *Minories*, being an additional Act to 13 El. 23. And the Ditch in *Hog-Lane* shall be scowred and cleansed by the Owners of the Lands lying on the North-side of the said Lane, in pain to forfeit 6 s. 8 d. for every Pole uncleansed. And by this Act the Justices of Peace in *London* and *Middlesex* shall appoint Scavengers.

XI. Stat. 3 Jac. 1. 22. Another Act for the paving and keeping in repair the Streets in *Saint Giles* in the Fields, and *Drury-Lane*.

Peace.

I. Stat. 2 Ed. 3. cap. 6. The Statute of *Winchester*, and other Statutes made for the keeping of the Peace, shall be duly observed.

II. The Justices assigned shall have power to punish Resisters of the Peace.

III. Stat. 1 R. 2. cap. 2. Peace shall be kept, and Justice and Right duly administred to all Persons. See all the Statutes of 1 H. 4. 1. 2 H. 4. 1. and 7 H. 4. 1. to the like effect.

Pensions,

Pensions, Portions and Corodies.

I. Stat. 34 & 35 H. 8. 19. Pensions, Portions, Corodies, Indemnities, Synodies, Proxies, and all other Profits due out of Religious Lands dissolved, shall be paid to Bishops, Arch-Deacons, and other Ecclesiastical Persons, by the Occupiers of the same Lands, if such Ecclesiastical Persons were seized thereof within ten Years before their Dissolution. And if upon Suits in the Ecclesiastical Court for the same the Defendant be convicted, the Plaintiff shall recover the Value thereof in Damages, together with his Costs of Suit. The like he shall recover at the Common Law when the Cause is thereby determinable.

II. Provided, That if the King hath demised any of the said Lands, with a Covenant to discharge the Tenant of such Charges, that then the Party claiming the same, shall sue for them in the Court of Augmentations, and not elsewhere.

 Perjury.

I. Stat. 5 El. 9. None shall suborn a Witness to give Testimony in any Court of Record concerning any Lands, Goods, Debts or Damages, in pain of 40*l.* and if the Offender (being convicted thereof) hath not wherewithal to satisfy the said Forfeiture, he shall suffer six Months Imprisonment without Bail, stand upon the Pillory one whole Hour in the same or next Market-Town where the Offence was committed, and be for ever after disabled to give Testimony in any Court of Record, until the Judgment given against him be reversed by Attaint, or otherwise.

II. He that commits wilful Perjury shall forfeit 20*l.* suffer six Months Imprisonment without Bail, and be ever after disabled to give Evidence, until the Judgment given against him be reversed as aforesaid: And here also, if he hath not wherewithal to discharge the Fine, (in the Country) the Sheriff, or (in a Corporation) the Head-Officer shall cause him to be set upon the Pillory in some Market-place, and to have both his Ears nailed.

III. The Forfeitures aforesaid shall be divided betwixt the Queen and the Party grieved.

IV. Judges of the Courts where such Offences shall happen to be committed, Justices of Assize, Goal-delivery, and of Peace, have Power to hear and determine the same Offences.

V. This Act shall be proclaimed at every Assize.

VI. This Act shall not extend to any Court Ecclesiastical, but that they may there proceed as in times past.

VII. This Act shall not restrain the power of the *Star-Chamber*, nor of the Council of *Wales*, or in the North, to punish heinous Perjuries, but that they may proceed as formerly: so as for the said Offences they inflict no less Punishment than by this Statute ordained.

Perdition.

Petition.

I. Stat. 12 Car. 2. Stat. 1. cap. 5. None shall labour or procure the getting of Hands or the Consent of above twenty Persons to any Petition, Remonstrance, &c. to the King, or both or either Houses of Parliament for Alteration in Church or State, unless by Consent and Order of three or more Justices of the County, or the major part of the Grand-Jury of the County or Division where the matter shall arise, at the Assizes or Quarter-Sessions, or if arising in *London*, of the Mayor, Aldermen and Commons in the Common-Council; nor shall any repair to the King, or both or either Houses of Parliament, to deliver such Petition, &c. with above ten Persons at once, upon pain of a Penalty not exceeding 100*l.* and three Months Imprisonment. The Offence to be prosecuted at the *King's-Bench*, Assizes or Quarter-Sessions, within six Months after it is committed, and to be proved by two Witnesses.

II. This Act shall not extend to any Address by all or any Members of both or either Houses of Parliament, during the sitting of Parliament.

Physicians and Chirurgeons.

*** Stat. 3 H. 8. 11.** None in *London*, or within seven Miles thereof, shall exercise as a Physician or Chirurgeon, except first examined and admitted thereupon by the Bishop of *London*, or Dean of *Pauls*, calling to him or them for the first Examination four Doctors of Physick, and for Chirurgery, other expert Persons in that Faculty; and afterward of them that so shall be proved; in pain to forfeit, for every Month they exercise Physick or Chirurgery, not so examined and admitted, 5*l.* to be divided betwixt the King and the Prosecutor.

II. In other Places, within the laid Precinct of seven Miles, none shall exercise the said Professions, unless examined and approved by the Bishop of the Diocese, or (in his absence) by his Vicar-general, calling to them expert Men in those Professions at their Discretion, and giving Letters Testimonial under their Seal to him they shall so approve, upon the like pain, to be divided as aforesaid.

III. This Act shall not extend to the Universities.

IV. Stat. 5 H. 8. 6. The Chirurgeons of *London* shall be exempt from bearing the Office of Constable, or any other Office, Watching, bearing of Arms, or to serve upon Inquests in *London*; so that their Incorporation exceed not the number of Twelve.

V. This Act shall also extend to Barber-Chirurgeons, approved and admitted according to the Statute of 3 H. 8. 11.

VI. Stat. 14 & 15 H. 8. 5. The King's Charter for the Incorporation of the College of Physicians in *London* (bearing

Date

Date the 13th of September in the tenth Year of his Reign) is confirmed, the substance whereof is as followeth.

VII. A perpetual College of Physicians is granted and erected in *London*, and within seven Miles compass of the same, who shall have power to chuse yearly a President for the better Government of the same; and shall also have perpetual Succession, a Common Seal, and Ability to purchase Lands not exceeding 12 l. per annum: They may sue and be sued, make Ordinances for the good Government of the College, and of all others that practise Physick within the said Limits. Neither shall any practise Physick within that Circuit, unless approved under the Seal of that College, in pain of 5 l. to be divided betwixt the King and the same College. Likewise four Physicians of *London* shall be yearly chosen to supervise the rest, as also their Medicines and Receipts, so that such as offend may be punished by Fines, Amerciaments, Imprisonment, or other due means. Lastly, Physicians shall not be put upon Inquests in *London* or elsewhere. Howbeit, these Letters Patents shall not be prejudicial to the City of *London*, nor Liberties thereof.

VIII. There shall be eight of the College called *Elects*, who from amongst themselves shall yearly chuse a President: and as any of the *Elects* fail (by Death or otherwise) others shall be chosen in their places by the Survivors of the same *Elects*.

IX. None shall practise Physick in the Country without a Testimonial of his Sufficiency from the President and three of the *Elects* of the same College, unless he be a Graduate in one of the Universities.

X. Stat. 32 H. 8. 40. Physicians are discharged from keeping Watch or Ward, or bearing the Office of Constable, or any other Office within the City of *London* or Suburbs thereof.

XI. Four Physicians shall be yearly chosen by the College, and shall have an Oath given them by the President, to search Apothecaries Wares; and if they shall find any of them faulty, shall call to them the Wardens of the Mystery of Apothecaries in *London*, and cause them to be burnt, or otherwise destroyed.

XII. No Apothecary shall resist their search, in pain of 5 l. to be divided betwixt the King and the Prosecutor.

XIII. If any of the Physicians so chosen refuse to take his Oath, or (after being sworn) refuse to make Search once in a Year, he shall forfeit 40 s.

XIV. Any of the Company of Physicians in *London* may also practise Chirurgery.

XV. Stat. 32 H. 8. 42. The Barbers and Chirurgeons of *London* are made one Company, and incorporated by the Name of the Masters and Governors of the Mystery and Commonalty of Barbers and Chirurgeons of *London*, and by that Name shall sue, and be sued, purchase Lands, use a Common Seal, and possess the Lands which now the Commonalty of Barbers of *London* do

do enjoy; as also all Liberties and Privileges heretofore granted to either of the said Companies by E. 4. H. 7. or this present King. Also such of them as are admitted to the Practice of Chirurgery shall be exempt from bearing of Arms, Watches and Inquests. This Company shall likewise have the Search, Oversight, Punishment and Correction of Offences committed against Barberv or Chirurgery, according to the Statute of 19 H. 7. 7. (*which see in Corporations.*) Yet here the Right of all others to their Lands is saved.

XVI. The Chirurgeons may take yearly four condemned Persons for Anatomies, without any Suit to the King, or other Interruption for the same.

XVII. No Barber in *London* and within a Miles compass thereof, shall use Chirurgery, neither shall any Chirurgeon there use Barberv or Shaving.

XVIII. Every Chirurgeon in *London* shall have a Sign at his Door.

XIX. None shall be a Barber in *London* but a Freeman of that Company.

XX. At the times heretofore accustomed there shall be four Masters or Governors of this Corporation chosen, viz. two Chirurgeons and two Barbers, who shall have the Search, Oversight, Punishment and Correction of all Defaults and Inconveniencies in either of those Professions within the Circuits aforesaid.

XXI. The Barber or Chirurgeon offending in any of the Articles, shall for every Month so offending forfeit 5 *l.* to be divided betwixt the King and the Prosecutor.

XXII. Howbeit the Chirurgeons and Barbers in *London* shall pay Scot and Lot, as in former times. And any Person may keep a Barber or Chirurgeon in his House, as his Servant, notwithstanding this Statute.

XXIII. Stat. 34 & 35 H. 8. 8. It shall be lawful for any Person having Knowledge and Experience of the Nature of Herbs, Roots and Waters, to practise and minister to any outward Sore, Uncom, Wound, Apostumation, outward Swelling or Disease, any Herb or Herbs, Ointment, Baths, Poultices and Emplaisters, according to their Knowledge of the said Maladies, or the like, as also Drinks for the Stone, Strangury or Agues, without Suit, Penalty or Loss, the Statute of 3 H. 8. 11. or any other Statute notwithstanding.

XXIV. Stat. 1. M. Parl. 1. Sess. 2. cap. 9. The Statute of 14 H. 8. 5. is confirmed.

XXV. When the President and Commonalty of the Faculty of Physick in *London*, or others authorized (by 14 H. 8. 5.) to search and punish Offenders, shall send or commit any such Offender to any Prison, (except the Tower) the Warden, Goaler or Keeper thereof shall receive, and there safely keep such Offender without Bail, until he shall be thence discharged by the said President, or

others authorized as aforesaid, in pain to forfeit double the penalty of the Offender, to be recovered by an Action of Debt, and divided betwixt the Queen and the said President and College.

XXVI. If the Wardens of the Apothecaries, (*in this Statute called, The Wardens of the Grocers*) or one of them, do not immediately upon Call go with the President, or Four of the *Elders*, (appointed to search the Apothecaries Wares according to the Statute of 32 H. 8. 40.) the said President or Four *Elders* shall do it without them, as also destroy such Wares as they shall find faulty : and none shall resist such Search, in pain of 10 l. to be recovered in form aforesaid.

XXVII. Justices of Peace, Mayors, Sheriffs, Bailiffs, Constables and other Officers, shall assist the said President, and all persons authorized by the said College, for the due Execution of the said Laws and Statutes, in pain to run in Contempt of the Queen her Heirs and Successors.

 Plague.

* I. Stat. 1 Jac. 1. 31. The Mayor, Bailiffs, Head Officers and Justices of Peace in a Corporation, or any two of them, have power to tax the Inhabitants there towards the Relief of such as are infected with the Plague, and to make Warrants under their Hands and Seals for any person to levy the said Tax upon the Goods of such as shall refuse or neglect to pay the same, and in case no Goods can be found to satisfy the Tax, upon the Parties refusal thereof, to commit him to Prison, there to remain till the Tax be satisfied.

II. If the Corporation be not able to relieve the persons infected, upon Certificate thereof to the Justices of Peace of the County thereupon adjoining, or any two of them, by the said Officers and Justices of the Town, or any two of them, the said Justices of the County shall have like power to tax, levy and imprison, as aforesaid, within Five Miles distance of the said Corporation.

III. In Towns and Places Corporate where there are no Justices, and in the Country, two Justices of Peace of the County shall tax, levy and imprison, as aforesaid, within five Miles distance of the Town or Place so infected.

IV. These Taxes shall be certified in at the next Quarter-Sessions of the Corporation or County respectively, and shall there be ordered, as by the Justices there, or the more part of them, shall be thought fit.

V. The Constable or other Officer which wilfully neglects to levy the Tax upon a Warrant, as aforesaid, shall forfeit for every such Default 10 s. to be employed upon the Charitable uses aforesaid.

VI. If any infected Person residing in an infected House (after commanded by a Justice or other Officer) presume to come forth, the Watchmen may resist him, and if any Hurt happen thereupon, the Watchmen shall not be impeached therefore.

VII. If any person having a Sore upon him, go abroad, and converse in Company, he shall suffer as a Felon; but if he have no Sore, he shall be openly punished as a Vagabond, according to the Statute of 39 *El.* 4. (*which see in Vagabonds.*)

VIII. No Attainder of Felony by virtue of this Act shall extend to corruption of Blood, or Forfeiture of Goods or Lands.

IX. It shall be lawful for the Justices of Peace and Head-Officers to appoint Searchers, Watchmen, Examiners, Keepers, and Buriers, and to minister unto them Oaths for the due performance of their Offices, and to give them such other directions as in their Discretion shall be thought fit.

X. Justices of Peace or Head Officers shall not (by force of this Act) meddle in the Universities, Cathedral-Churches, or Colleges.

Plays and Games.

I. Stat. 33 *H.* 8. 9. Parents and Masters shall provide for each of their Sons and Male-Servants (betwixt the age of seven and seventeen) a Bow and two Shafts, and cause them to exercise Shooting in pain of 6 s. 8 d.

II. Sons and Male-Servants (betwixt the age of seventeen and sixty) shall be furnished with a Bow and two Arrows, and practise Shooting therewith, in pain of 6 s. 8 d.

III. None under the age of twenty four years shall shoot at any standing Mark (except at Rovers, changing his Mark every Shoot) in pain of 4 d. a Shoot; and none above that Age shall shoot at any Mark of eleven score distance, or under, in pain of 6 s. 8 d.

IV. None under the Age of seventeen years shall shoot with a Bow of Yew, except his Parents be worth 10 l. *per annum* in Lands, or forty Marks in Goods, in pain of 6 s. 8 d. a Shoot.

V. The Inhabitants of every Town shall continue their Butts in good Repair, in pain of 20 s. for every five Months default.

VI. For every Bow made of Yew, the Bowyer not inhabiting London or the Suburbs thereof, shall make Four, and the Inhabitant there two Bows of other Wood, in pain to forfeit for every such Bow unmade, 3 s. 4 d.

VII. Fletchers of London shall sell seasonable Timber to Foreign Fletchers without prejudice.

VIII. Artificers of Archery (not Freemen, nor paying Scot and Lot) shall remove their Abode from London and the Suburbs thereof, to what other place they shall be assigned by his Majesty's Council, the Lord Chancellor, Treasurer, Privy Seal, or one of them, in pain of 40 s. for every day they make their abode contrary to this Act.

IX. Aliens

IX. Aliens shall not convey Bows and Arrows out of the Realm without his Majesty's Licence, in pain of Imprisonment without Bail, until they shall make Fine to the King, to be set by (at least) two Justices in Sessions, and give Security for the same; neither shall they use shooting, in pain to forfeit their Bows and Arrows, to be taken from them by any of the King's Subjects.

X. Justices of Assize, Goal-delivery and Peace in Sessions, and Stewards in Leets, shall hear and determine the Breaches of this Act.

XI. The one Moiety of all these Forfeitures is given to the Prosecutor, and the other, where there is no Leet, is given to the King: and where there is a Leet, to the Lord of that Leet.

XII. None shall keep or maintain any House or Place in unlawful Games, in pain of 40 s. and none shall use or haunt such Places, in pain of 6 s. 8 d.

XIII. In every Placard to keep common Gaming, the Games here to be used shall be inserted, as also the Persons who shall play thereat; and every Placard otherwise granted shall be void. The Grantee also of such a Placard shall be bound by Recognizance in the Chancery with good Sureties, not to use it contrary to the Form thereof.

XIV. It shall be lawful for Justices of Peace in every County, and for Head-Officers in Corporations, as well within the Liberties as without, to enter and resort into all such Houses and Places where such unlawful Games are suspected to be used, and as well the Keepers thereof as the Resorters thereunto, to arrest and imprison until they shall severally give good Security, at the Discretion of the said Justices, or Officers, not to keep such Games any more.

XV. Every Mayor, Sheriff, Bailiff, Constable, and other Head Officer within every City, Borough or Town, shall make due Search, as aforesaid, once every Month at least, in pain to forfeit 48 s. for every such Default.

XVI. No Artificer or his Journeyman, no Husbandman, Apprentice, Labourer, Servant at Husbandry, Mariner, Fisherman, Waterman, or Serving-man, shall play at Tables, Tennis, Dice, Cards, Bowls, Clash, Coyting, Loggating, or any other unlawful Game, out of *Christmas*, or then out of their Masters House or Presence, in Pain of Twenty Shillings. And none shall play at Bowls in open places out of his Garden or Orchard, in pain of 6 s. 8 d.

XVII. All Informations or Suits upon this Statute shall be prosecuted within one year; and the Forfeitures thereof which happen within a Leet or Liberty, shall be divided betwixt the King and the Lord thereof, and in all other places betwixt the King and the Prosecutor.

XVIII. Proclamation of this Act shall be made quarterly in every Market-Town, as also at every Goal-delivery, Assize and Session.

XIX. This Act shall not restrain a Servant (by his Master's Licence) to play at Cards, Dice or Tables with the Master himself, or other Gentlemen resorting to his Master's House. And if the Master hath Freehold of 100 *l. per annum* he may also licence his Servant to play at Bowls or Tennis.

XX. Stat. 2 & 3 P. & M. 9. All Licences to keep Houses or Places of unlawful Games, shall be void.

XXI. Stat. 16 Car. 2 c. 7. They that by Fraud or ill Practice in playing at Cards, Dice, Tables, Tennis, Bowls, Kittles, Shovel-board, or in Cock fightings, Horse-Races, Dog-Matches, or Foot-Races, or other Pastimes or Games, or by bearing a part in the Stages, Wages or Adventures, or by betting on the sides of such as Play, Act, Ride, &c acquire to themselves, or others, Money or Things of Value, shall *ipso facto* forfeit the treble Value: one half to the King, the other to the Loser, prosecuting within six Kalendar Months, and in default of such Prosecution, that Moiety to them that will sue within a year after the six Months expired.

XXII. If any Persons play at the said Games or other Pastime, (other than for ready Money) or bet on other Men's sides, and shall lose any Sums of Money, or other things, exceeding 100 *l.* at one time of meeting, they shall not be compelled to make good the same; but such Contracts and all Securities for the same shall be void. The Person winning the same, shall forfeit the treble Value of such Money or other Things won above 100 *l.* one half to the King, the other to the Prosecutor suing within a year.

XXIII. Plaintiffs and Informers upon this Statute shall recover treble Costs.

Stage-Plays.

I. Stat. 3 Jac. 1. 21. None shall in any Stage-Play, Shew, May-Game or Pageant, profanely use the Name of God, Christ Jesus, the Holy Ghost, or Trinity, in pain of 10 *l.* to be divided betwixt the King and the Prosecutor.

Pleading and Pleadings.

I Stat. 36 E. 3. 15. All Pleas which shall be pleaded in any Court whatsoever within the Realm, shall be pleaded, shewed, defended, answered, debated and adjudged in the *English* Tongue, but entred and enrolled in *Latin*. Howbeit the Laws and Customs of this Realm, as also the Terms and Processes, shall be holden and kept as before this time hath been used.

II. Stat. 22 Car. 2 c. 3. One pretended Act made in 1650. for turning the Law into *English*, shall be in force, as if it had been a good Act, from the first Return in *Easter-Term*, 1651. till the first of *August* 1660. and no longer.

 Pleas

Pleas, Plumstead-Marsh, Poor People. 485

Pleas of the Crown.

I. *Magna Charta*. 17. 9 *H.* 3. No Sheriff, Constable, Escheator, Coroner, or any other of our Bailiffs shall hold Pleas of the Crown.

Plumstead-Marsh.

I. Divers Statutes have been made for the winning and saving of *Plumstead-Marsh*, viz. 22 *H.* 8. 3. 14 *Eliz.* not printed, 23 *Eliz.* 13. and 27 *Eliz.* 27. See *thsm at large*.

Poor People.

I. Stat. 11 *H.* 7. 12. Every poor Person having Cause of Action, shall have Original Writs and *Subpœna's gratis*; also the Judge or Judges of the Court where the Suit depends, shall assign him Council and Attorney, who are thereby enjoined to dispatch his Business without Fees.

* II. Stat. 43 *Eliz.* 2. The Churchwardens of every Parish, and four, three, or two Householdiers there, (according to the Greatness of the Parish) to be nominated yearly in *Easter-Week*, or within one Month after, under the Hands and Seals of two Justices of Peace (1 *Qu.*) shall be called *Overseers of the Poor* for the same Parish.

 III. These Overseers, or the greater part of them, shall take order (with the consent of two such Justices) for the setting of poor People to work, and for raising (by Taxation) a convenient Stock to work upon, to relieve impotent Persons, to put forth Apprentices, and to perform all other things concerning the Premises.

IV. These Officers, or such of them as shall not be let by some just Excuse (to be allowed by two such Justices) shall meet monthly in the Church upon *Sunday* after Evening Prayer, and there consider of some meet direction in the Premises; and shall within four days after the End of their Year, and other Overseers nominated, yield up a true Accompt to two such Justices, pay the surplusage thereof to their Successors, and use all possible diligence in their Office, in pain to forfeit for every such Default 20 s.

V. Where the Inhabitants of any Parish are not able to relieve themselves, two such Justices may tax other Parishes and Places, and the whole Hundred also, (if need require) and where the whole Hundred is not able, Justices of Peace in Sessions may tax the County in part, or wholly at their discretions.

VI. It shall be lawful for the said Officers, upon Warrant from two such Justices, to levy such Tax or Surplusage by Distress and Sale of Goods; and in Default of Distress, two of the said Justices have power to commit the Party to Prison, there to remain with-

out Bail until it be discharged; and also to commit persons which refuse to work, to the House of Correction.

VII. The said Officers, or the greater part of them, with the Assent of two Justices of Peace, may bind poor Children Apprentices, viz. a Man-child till twenty four years of age, and a Woman-child till twenty one years, or Marriage.

VIII. The said Officers shall (with the Consent of the Lord of the Manor first obtained in Writing under his Hand and Seal) either of themselves, or by virtue of a Sessions Order, erect Cottages upon the Waste, and lodge Inmates therein, notwithstanding the Statute of 31 *El.* 7. But those Cottages shall not be afterwards otherwise employed than to lodge impotent Persons therein, upon the pains mentioned in the said Statute of 31. *El.*

IX. Justices of Peace in Sessions shall rectifie unjust Taxes, whose Order therein shall be binding to all Parties.

X. The Father, Grandfather, Mother, Grandmother and Children of every poor Person shall be assessed towards their Relief, as the Justices of Peace in Sessions of the County where such Father, &c. dwells, shall limit and appoint, in pain to forfeit 20 s. a Month.

XI. Officers in Corporate Towns, and Aldermen of *London* have in their severall Precincts like Authority that Justices of Peace have in their Counties; which said Justices are not to intermeddle in Corporations for the Execution of this Law.

XII. When one Parish extends into severall Counties or Liberties, the Justices or Head Officers shall only intermeddle within their respective Limits; but the Churchwardens and Overseers have mixt Jurisdiction, and shall render Account (as aforesaid) to Justices or Head Officers of both Places.

XIII. If it happen Overseers not to be appointed according to this Statute, every Justice of Peace or Head Officer of that Division or Corporation shall forfeit 5 *l.* to be levied by a Sessions-Warrant, and employed to the use of the Poor of the Parishes where such Default is made.

XIV. The Forfeiture of this Statute shall be employed to the use of the Poor, and levied by Distress and Commitment, as aforesaid.

XV. Justices of Peace of every County and Corporation, or the most part of them, at *Easter*-Session, shall yearly (or as often as they shall think fit) rate every Parish at a certain Sum, to be paid weekly; but so as no Parish may pay more than Six-pence; nor less than an Half-penny; and one Parish considered with another, not above Two-pence, through the whole County or Corporation: which Sum so rated, the Churchwardens and Constables of every Parish, or any of them, (or in their Default a Justice of Peace) have Power to assess and levy by Distress, Sale and Commitment, as aforesaid.

XVI. Justices

XVI. Justices of Peace shall then likewise rate every Parish towards the Relief of the *King's Bench* and *Marshalsea*, and also of Hospitals and Alms-Houses situate within their several Jurisdictions, appointing only so much to the said Hospitals and Alms-Houses, that the *King's Bench* and *Marshalsea* may each of them receive at least 20 s. yearly out of every County. And the Sum thus to be assessed upon every Parish, the Churchwardens there shall collect and levy as before, and pay them over quarterly to the High-Constable of that respective Division ten days before every Quarter-Sessions; and the High-Constables shall every Quarter-Session, pay the same over to the two Treasurers of the County, or one of them, to be yearly chosen by the more part of the Justices of Peace out of such Subsidy-Men as were taxed in the last Tax of Subsidies at 5 l. Lands, or 10 l. Goods: which Treasurers so chosen, shall yearly at *Easter-Sessions* render a true Account to their Successors, and pay the Monies in their Hands to the Lord Chief Justice of the *King's Bench*, and the Knight-Marshal by equal Portions. And here the Churchwarden or his Executors, &c. which fails in payment to the High-Constable, shall forfeit 10 s. and the High-Constable or his Executors, &c. which fails in payment to the Treasurers, shall forfeit 20 s. to be levied and imployed by the said Treasurers, as aforesaid.

XVII. The Stock of every County shall be ordered and disposed to charitable Uses, as the Justices, or the more part of them, shall think convenient.

XVIII. The Treasurer that refuseth to execute his Office, to distribute Relief, or to account, as the most part of the Justices shall direct, shall be fined by the same Justices, or (in their Default) by the Judges of Assize, Three Pounds at least; which Fine shall be levied by Sale of Goods, upon the Prosecution of any two Justices authorized by the rest.

XIX. A Provision for the Island of *Foulness* in *Essex*.

XX. Upon an Action brought for the due Execution of this Act, the Defendant may plead the General Issue, and yet give special matter in Evidence, and shall also recover treble Damages and his Costs of Suit.

XXI. Stat. 7 Jac. 1. 3. Money given to put out poor Children Apprentices, shall be imployed in Corporate Towns by the Corporations, and in other places by the Parson or Vicar, together with the Constables, Churchwardens and Overseers of the Poor, or the most part of them, who shall not forbear or refuse to imploy the same accordingly, in pain to forfeit five Marks each of them so making default, to be divided betwixt the Poor of the Parish and the Prosecutor.

XXII. The Party receiving Money with such an Apprentice, shall give good Security by Obligation to repay it at the end of seven years next ensuing the date of the said Obligation, or within three Months next after the end of the said seven years; and if such

Apprentice shall die within the seven years, then within one year after his or her Death; and if the Master, Mistress or Dame happen to die within the seven years, then within one year after their Death, so as the Money may be employed in placing the Apprentice with some other of the same Trade, to serve out his time, at the discretion of the Parties trusted, as aforesaid.

XXIII. The Money so given shall be employed within three Months after the Receipt thereof; and if there shall not be apt persons found to be Apprentices in the places where it is given, it shall be employed in the Parishes next adjoining by the Parties that are trusted with it in the places where it was so given; and there also Bond shall be taken, as is before declared.

XXIV. The choice of Apprentices shall be out of the poorest sort of Children, whose Parents are least able to relieve them; and no such Apprentice shall be above the Age of fifteen years when he or she is first bound.

XXV. The Parties so trusted, shall yearly in *Easter-Week*, or within one Month after, account before two or more of the next Justices of Peace. And if there be any Obligations or Money remaining in their Hands, they shall upon such Account (or within ten days after) deliver the same unto their Successors.

XXVI. If any Officer so trusted, shall break the Trust reposed in him, mis-employ the same Money, or do any thing contrary to this Act, for which he cannot be punished by this Act, the Lord Chancellor or Keeper shall upon the Petition of any Person award a Commission to such as he shall think fit, to enquire, hear and determine such Offences: And if the Commissioners shall find Money so mis-employed, they shall, in places not corporate, have power to rate, raise and collect it upon the parties so offending, or otherwise upon the able Inhabitants of the City, Town or Parish so in default, as the said Commissioners, or the greatest part of them shall think fit; and shall return the said Commission, together with the manner of Executing the same, into the Chancery within three Months next after such Execution thereof.

XXVII. Stat. 1 Jac. 1. 25. All Persons to whom the Overseers of the Poor shall (according to the Statute of 43 Eliz. 2.) bind any poor Children Apprentices, may take, receive and keep them as Apprentices.

XXVIII. Stat. 3 Car. 1. c. 4. The aforesaid Statute of 1 Jac. 1. cap. 25. is again continued and confirmed.

XXIX. The Churchwardens and Overseers of the Poor (mentioned in the Statute of 43 El. 2.) may, with the Consent of two or more Justices of the Peace, (one of the *Quorum*) within their respective Limits where there shall be more Justices of Peace than one, and where no more shall be than one, with the Assent of that one Justice, set up, use and occupy any Trade, Mystery,

Mystery or Occupation, only for the setting on Work and better Relief of the Poor of the Parish or Place where they so bear Office respectively.

XXX. Stat. 13 & 14 Car. 2. cap. 12. Upon Complaint by the Churchwardens and Overseers of the Poor to any Justice of Peace within forty Days after any poor Person cometh to settle in a Tenement under 10 *l. per Annum*, two Justices of Peace, whereof one to be of the Quorum, may by Warrant remove such Person to the Parish where they were last legally settled for forty Days, unless they give Security to be allowed by the said Justices for Discharge of the Parish. Persons aggrieved may appeal to the Quarter-Sessions.

XXXI. But Persons having a Certificate from the Minister of the Parish, and one Churchwarden, and one Overseer of the Poor, declaring them Inhabitants there, may go into any Parish to work, and the not returning of such Persons, when their Work is finished, or falling sick whilst they are at work, shall not be accounted a Settlement: If any return to the Parish from whence they are removed, a Justice of Peace may send them to the House of Correction, to be punished as Vagabonds, or to a publick Work-house to be employed in Labour; and if the Churchwardens and Overseers of any Parish to which any are removed, refuse to receive them, and provide them Work, a Justice of Peace may bind over such Officers to the Assizes or Sessions.

XXXII. There shall be one or more Corporation or Corporations: Work-house or Work-houses in the Towns and Places in the Parishes mentioned in the Weekly Bills of Mortality, consisting of a President, Deputy and Treasurer: The Mayor of London to be President of the Corporations in London, and the Assistants to be the Aldermen, and fifty two Citizens chosen by the Common-Council. The President and major part of the Assistants may elect a Deputy President and Treasurer, and other necessary Officers hereby authorized to execute the Powers in this Act. A President, Deputy President and Treasurer and Assistants shall be appointed by the Chancellor of England of Persons inhabiting in Westminster, for the Corporation thereof.

XXXIII. For other places within the Bills of Mortality in Middlesex and Surry, the Justices of Peace in their Quarter-Sessions shall chuse such Officers out of the Inhabitants of the said Counties respectively, and take an Account of their Receipts and Disbursements, and how many Poor were employed the Year last past: Every of the said Corporations may without Licence in Mortmain purchase Lands not exceeding 3000 *l. per Annum*, and any Goods whatsoever. Each Corporation or seven of them may keep Courts for these purposes, when and where the President, his Deputy or the Treasurer shall appoint, at the desire of any four of the Corporation, and may appoint a Common Seal.

XXXIV. The

XXXIV. The President and Governors of the said Corporation, or any two of them, or any appointed by them, may apprehend Rogues, Vagrants, Sturdy Beggars, or disorderly Persons, and cause them to be set to work in the several Workhouses.

XXXV. If the President and Governors of any the said Corporations certify under their Common Seal their want of a Stock to found the Work, or supply it for the future, to the Common Council of the City of *London*, the Burgesses and Justices of Peace of *Westminster*, or the Justices of Peace of *Middlesex* and *Surry* in their Quarter-Sessions, they shall ascertain such Sums not exceeding one years Rate usually set upon, due for Relief of the Poor, and proportion the same upon the several Divisions as they think fit: And the Aldermen, Deputies, and Common Council-men of every Ward in *London*, and Burgesses and Justices of Peace of *Westminster*, and Justices of Peace of *Middlesex* and *Surry*, may for the several Precincts tax the Inhabitants. Persons aggrieved may complain to the next open Sessions, who shall take final Order therein.

XXXVI. Any Alderman of *London* or his Deputy, the Burgesses and Justices of Peace of *Westminster*, or two of them, or two Justices of Peace of *Middlesex* and *Surry*, under Hand and Seal may authorize the Churchwardens or Overseers to gather such Money; and for want of payment within ten Days after demand or notice left in Writing at any Persons House, to levy the same by Distress and Sale of Goods.

XXXVII. The respective President and Governors, or any seven may make By-Laws (to be presented to, and allowed by the Justices of Peace in their Quarter-Sessions) for the regulating and setting the Poor to work, punishing Vagabonds and Beggars. The President and Governors, or any fourteen of them, may choose Officers to be employed about the Premises, and remove them as they see Cause, and make reasonable Allowances to them out of the Stock. All Ministers of Justice shall be aiding and assisting towards the Execution of this Act.

XXXVIII. If Constables, Headboroughs or Tythingmen die, or go out of the Parish, two Justices of Peace may swear new ones, till the Lord of the Manor hold a Court-Leet, or till the next Quarter Sessions, who shall approve of them, or appoint others; and if any Officers continue above a Year, the Justices of Peace may discharge them, and put in others, till the Lord of the Manor hold a Court.

XXXIX. Any Justice of Peace to whom any Rogue, Vagabond, &c. apprehended, shall be brought, may reward those that apprehend them, by granting them a Warrant under Hand and Seal to the Constable, Headborough, or Tythingman of such Parish where such Vagabond, &c. passed through unapprehended, to pay such Person two Shillings for every Vagabond, &c. apprehended, on pain of being proceeded against according to the Statute

Statute of 39 *El.* and 1 *Jac.* 1. *cap.* 1. and out of the Money forfeited upon the Stat. of 1 *Jac.* 1. may allow the said two Shillings.

XL. They that apprehend Vagabonds, &c. at the Confines of a County, which passed through any Parish into another County unapprehended, may go to a Justice of Peace of that County, who upon Certificate from some Justice of Peace of the County where such Rogue, &c. was apprehended, may grant such Warrants, as aforesaid: And in case of Refusal may cause such Constable to pay to such Persons 10 s. or so much thereof for their Expences and loss of time as he thinks fit, which he hath forfeited by 39 *El.*

XLI. Constables, Headboroughs and Tythingmen out of Purse for conveying Vagabonds, &c. to Houses of Correction or Work-houses, they, the Churchwardens and Overseers of the Poor, and other Inhabitants in the Parish may tax all chargeable by the 43 *El.* *cap.* 2. which Rate being confirmed under Hand and Seal by two Justices of the Peace, the said Constables, &c. by Warrant under Hand and Seal of two Justices may levy it by Distress and Sale of Goods.

XLII. Churchwardens and Overseers for the Poor where any Bastard Child shall be born, may seize so much of the Goods and Profits of the Lands of the Putative Father and Lewd Mother, as two Justices of Peace shall order towards discharge of the Parish, to be confirmed at the Sessions, who may make an Order for the Churchwardens, &c. to dispose of the Goods by Sale or otherwise as they shall think fit, and receive the Profits of so much of their Lands as shall be ordered by the Sessions.

XLIII. Persons sued for what they do in Execution of this Act, may plead the General Issue, and give the special Matter in Evidence, and shall have treble Costs, if the Verdict be for them, or the Plaintiff be Non-suit or discontinue.

XLIV. The Poor in every Township or Village in *Lancashire, Cheshire, Darbyshire, Yorkshire, Northumberland, Bishoprick of Durham, Cumberland, and Westmorland* shall be provided for in the Township and Village where they inhabit, or were last legally settled; and two or more Overseers shall be chosen in every Township, &c. who shall execute all Powers for the Relief of the Poor, under the Penalties mentioned in 43 *El.* *cap.* 2.

XLV. Justices of Peace in the said Counties shall execute all Powers within any Parish by 43 *El.* and under the like Penalties for Non-performance.

XLVI. Justices of Peace in their Quarter-Sessions may cause to be transported Rogues, &c. duly convicted, and adjudged incorrigible, to *English* Plantations beyond Sea.

XLVII. The Rights of the Dean and Chapter of the Collegiate Church of St. Peter in *Westminster* saved. This Act to continue to the end of the first Session of the next Parliament and no longer, except what concerns the Corporations constituted hereby. *Continued,* except what concerns Corporations, thereby constituted, per 1 *Jac.* 2. *cap.* 17. See after.

XLVIII Stat.

XLVIII. Stat. 22 & 23 Car. 2. cap. 18. The Officers of the Corporations erected and constituted in pursuance of the Act of 14 Car. 2. cap. 12. shall make quarterly Accompts to the Justices of Peace, and are not to raise any more Money upon new Certificates, till there be a just Accompt given to, and allowed by the Justices of Peace aforesaid.

XLIX. Debts contracted for the Uses expressed in the said Act, shall upon Order from the Justices aforesaid be discharged by the respective Treasurers, and allowed in their Accompts.

L. No Sums to be levied upon any of the said respective Parishes, shall in one Year exceed the fourth part of the Assessment to the Poor for that Year : Which Sums shall be paid at two several Payments to the Treasurers, viz. at Michael and the Annunciation, or within fourteen Days after.

LI. No Assessment shall be laid on any of the Parishes aforesaid after the 20th of September, 1675.

LII. Nothing herein contained shall alter or vacate any of the Powers given by the former Act to the Lord Mayor and Governors for the Corporation within London, or the Parish of St. Margarets Westminster.

LIII. Stat. 22 & 23 Car. 2. cap. 16. An Act for the Discovery of such as have defrauded the Poor of the City of London, of the Monies given for their Relief, at the times of the late Plague and Fire, and for Recovery of the Arrears thereof, See the Statute at large.

LIV. Stat. 1 Jac. 2 cap. 17. The Act of 13 & 14 Car. 2. Entituled, *An Act for the better Relief of the Poor of this Kingdom;* (except what relates to the Corporations thereby constituted) shall be in force from the first Day of this present Session of Parliament for seven Years, and from thence to the end of the next Session of Parliament.

LV. And whereas Poor Persons at their first coming to a Parish do commonly conceal themselves, the forty Days intended by the said Act to make a Settlement (*Vide supra Sect. XXX.*) shall be accounted from the time of their Deliveries of Notice in Writing of their House of Abode, and the Number of their Family, if they have any, to one of the Churchwardens or Overseers of the Poor of the said Parish.

LVI. Revived as to what relates to Settlements of Poor, per 3 & 4 W. & M. Sess. 3. cap. 11.

LVII. Continued to all, except what relates to Corporations, per Stat. 4 & 5 W. & M. Sess. 4. cap. 24. Sect. 11. Continued, except what relates to Corporations thereby constituted, per 5 An. cap. 34.

Post-Office.

I. Stat. 12 Car. 2. cap. 35. There shall be one General Letter-Office in London, the Master to be appointed by the King's Letters

Letters Patents. None but he and his Agents and their Servants shall have the receiving, and sending, and delivering of all Letters and Pacquets, except Letters sent by Coaches, Carriers, Letters of Merchants and Masters, by Masters of any Vessel of Merchandize or others imployed by them, and Letters sent by Friends and Messengers sent on purpose, and except Messengers carrying Proceedings out of any Court, or Affidavits.

II. None but such Post-Master-General, &c. shall provide Horses for thorough Posts and Persons riding Post in Post-Roads, that are or shall be in *England, Scotland and Ireland.*

III. The Rates shall be as follow, viz. For the Post of a Letter not exceeding one Sheet to or from any Place not above eighty Miles distant, 2 d. not exceeding two Sheets, 4 d. for Pacquets of Letters proportionably: For other Pacquets, 8 d. per Ounce. For a Letter not exceeding one Sheet above eighty Miles, 3 d. not exceeding two Sheets, 6 d. Pacquets or Letters proportionably: Other Pacquets, 12 d. per Ounce. For a Letter not exceeding one Sheet from *London to Berwick*, or back, 3 d. not exceeding two Sheets, 6 d. Pacquets of Letters proportionably: Other Pacquets, 1 s. 6 d. per Ounce. For a Letter from *Berwick* within forty Miles distance, 2 d. not exceeding two Sheets, 4 d. Pacquets of Letters proportionably: Other Pacquets, 8 d. per Ounce. For a Letter not exceeding one Sheet to a further distance, 4 d. not exceeding two Sheets, 8 d. Pacquets of Letters proportionably: Other Pacquets, 1 s. per Ounce. For a Letter not exceeding one Sheet from *England to Dublin*, or back, 6 d. not exceeding two Sheets, 1 s. Pacquets of Letters proportionably: Other Pacquets, 2 s. per Ounce. For a Letter not exceeding one Sheet to or from any place within forty Miles of *Dublin*, 2 d. not exceeding two Sheets, 4 d. Pacquets of Letters proportionably: Other Pacquets, 8 d. per Ounce. For a Letter not exceeding one Sheet farther than forty Miles, 4 d. not exceeding two Sheets, 8 d. Pacquets of Letters proportionably: Other Pacquets, 1 s. per Ounce.

For Letters and Pacquets conveyed to and from Parts beyond the Seas, as followeth.

Morlaix, St. Maloes, Caen, Newhaven, and Places of like distance, Port paid to Roan, is for	Single,	6 d.
	Double,	1 s.
	Treble,	1 s. 6 d.
	Ounce,	1 s. 6 d.
Hamburg, Colen, Frankfort, Port paid to Antwerp, is	Single,	8 d.
	Double,	1 s. 4 d.
	Treble,	2 s.
	Ounce,	2 s.
		Venice,

Venice, Geneva, Leghorn, Single, 9 d.
Rome, Naples, Messina, and o- Double, 1 s. 6 d.
 ther parts of *Italy* by way of Treble, 2 s. 3 d.
Venice, Frank pro Mantua, Ounce, 2 s. 8 d.

Mercellia, Smyrna, Con- Single, 1 s.
stantinople, Aleppo, and all Double, 2 s.
 Parts of *Turkey*, Port paid to Three fourths of an Ounce, 2 s. 9 d.
Mercellia, Ounce, 3 s. 9 d.

And for Letters brought Single, 8 d.
 from the said Places into Double, 1 s. 4 d.
England, Treble, 2 s.
 Ounce, 2 s.

For Letters brought into Single, 4 d.
England from *Calais, Diepe, Double, 8 d.*
Boloin, Abbeville, St. Omers, Treble, 1 s.
Amiens, Montrel, Ounce, 1 s.

Rouen, Single, 6 d.
 Double, 1 s.
 Treble, 1 s. 6 d.
 Ounce, 1 s. 6 d.

Genoa, Leghorn, Rome and Single, 1 s.
 other Places of *Italy*, by Double, 2 s.
 way of *Lyons, Frank pro Three fourths of an Ounce, 2 s. 9 d.*
Lyons, Ounce, 3 s. 9 d.

And of Letters sent Outwards.

To *Bourdeaux, Rochel, Nantes Single, 9 d.*
Orleans, Bayon, Tours, and Double, 1 s. 6 d.
 Places of like distance, Port Treble, 2 s. 3 d.
 paid to *Paris, Ounce, 2 s.*

For Letters from those Single, 1 s.
 Places into *England, Double, 2 s.*
 Three fourths of an Ounce, 3 s.
 Ounce, 4 s.

And Letters sent Outwards Single, 1 s.
 to *Novemberg, Bremen, Dant- Double, 2 s.*
zick, Lubeck, Lipswick, and Three fourths of an Ounce, 3 s.
 other Places of like distance, Ounce, 4 s.
 Port paid to *Hamburg, Paris*

Paris,

Single,	9 d.
Double,	1 s. 6 d.
Treble,	2 s. 3 d.
Ounce,	2 s.

Dunkirk, Ostend, Lisle, Ipre,	Single,	8 d.
Courtray, Ghent, Brussels, Bruges, Antwerp, and all other Parts of Flanders,	Double,	1 s. 4 d.
	Treble,	2 s.
	Ounce,	2 s.

Sluis, Flushing, Middelburgh,	Single,	8 d.
Amsterdam, Rotterdam, Delph,	Double,	1 s. 4 d.
Hague, and from all other Parts of Holland and Zealand,	Treble,	2 s.
	Ounce,	2 s.

IV. Merchants Accompts not exceeding one Sheet, Bills of Exchange, Invoyes and Bills of Lading, and Coverts not exceeding one Quarter of a Sheet, of Letters sent to *Marseilles*, *Venice* or *Leghorn* to be sent forward to *Turkey*, shall pass without Rate. And according to the same Rates to and from any Parts beyond the Seas, where Posts may hereafter be settled. Post-Masters may take for each Horse 3 d. a Mile, and 4 d. for the Guide for every Stage.

V. Letters and Pacquets brought in any Vessel to any Port-Town other than such as are before excepted, shall be forthwith delivered to the Deputies of the Post-Master-General for the said Port-Town, to be sent forward.

VI. None shall carry, or employ others to carry Letters and Pacquets, other than as before excepted; or provide Horses for Thorough-posts, or Persons riding Post, on pain to Forfeit 5 l. for every Offence, and 100 l. for every Weeks continuance.

VII. But if any Post-Master do not furnish Persons riding Post with Horses, in half an hours time after demand, such Persons may provide for themselves, and such Post-Master shall Forfeit 5 l. if it happen through his neglect.

VIII. Nothing in this Act shall prohibit the carrying of Letters or Pacquets to or from any place to or from the next Post-road or Stage.

IX. If the Mail be carried out of *England* in any Vessel not *English* built, and navigated with *English* Seamen, the Post-Master-General shall Forfeit 100 l.

X. No Person shall be capable of any Employment relating to the said Office, but such as shall have taken the Oaths of Supremacy and Allegiance before two Justices of Peace of the Counties where they are resident.

XI. A Post shall twice a Week come by the way of *Truro* and *Penryn* to *Marktiem* in *Cornwal*; and once a Week to *Kendal* by way

way of *Lancaster*, and to *Penrith* in *Cumberland* by way of *New Castle* and *Carlisle*, and to *Lincoln* and *Grimsby* in *Lincolnshire*.

XII. The Post-Master-General shall continue constant Posts to all Places, though out of the Post-Roads, as hath been used three Years last past, at the Rates aforesaid, under the Penalty of $\text{5} \text{ l.}$ for every Omission.

XIII. The Post-Master and his Deputy shall observe such Instructions as the King shall ordain. The King may grant the said Office for Life or Years, not exceeding one and twenty, upon such Terms as he shall think fit.

XIV. No Horses may be Seized for this Service without the Owners Consent.

XV. In-land Letters shall pay at the Stage where they are last delivered, unless the party that delivers the same desireth to pay elsewhere. Letters and other things may be sent to and from the two Universities, as hath been used; the one Moiety of all Forfeitures imposed by this Act is given to the King, the other to the Informer. *Confirmed 13 Car. 2. cap. 7.*

XVI. Stat. 13 Car. 2. cap. 14. All the Profits accruing to the King by reason of the Post-Office, are hereby settled upon *James Duke of York*, and the Heirs Males of his Body; none of which shall be paid into the Exchequer, but to the said Duke, &c. or his Receiver-General. The said Duke and his Heirs Males may Sue for the same in the King's Name, or their own, by Bill, Plaint, Information, Action of Debt, or otherwise, in any Court of Law or Equity.

XVII. The King shall have the Nomination of the Post-Master-General, and may grant the said Office for Life, or twenty one Years, under the most improved Rent that can reasonably be had, to be reserved to the said Duke and the Heirs Males of his Body, and under such Covenants, Conditions, &c. as he or they think fitting.

XVIII. Stat. 1 Jac. 2. cap. 12. The King shall from henceforth be seized of the Revenues and Profits arising by the Post-Office, of one entire and indefeasible Estate in Fee-simple; the Act last above-mentioned notwithstanding.

Prerogativa Regis, &c.

I. West. 1. 50. 3 E. 1. Forasmuch as the King hath ordained these things, viz. The Statute of *Westm.* 1. for the Honour of God and the Church, and for the Commonwealth, and for Remedy of such as are grieved, he would not that at any other time it should turn in prejudice of him or of his Crown, but that such Rights as appertain to him, should be saved in all Points.

President of the Council.

I. Stat. 21 H. 8. 20. pars. inde. The President of the King's Council

Council (if he be present) may associate the Lord Chancellor, Treasurer and Privy Seal, at naming of Sheriffs, setting of Prices of Wines, and at all other Acts limited (by any Statute) to be done by the said Chancellor and Treasurer, and Keeper of the Privy Seal.

Primer Seisin.

I. *Prerog. Reg. 3. 17 E. 2.* The King shall have *Primer Seisin* after the death of his Tenant in Chief of all the Lands whereof he died seised in Demesne as of Fee, of what Age soever the Heir be, taking the Issues of the same Lands until Inquisition be made, and he have taken Homage of such Heir.

Prison, Prisoners, Gaol, Gaolers:

I. *Stat. 1 E. 3. Stat. 1. 7.* The Justices of either Bench, Assize and Gaol-delivery, shall hear and determin all Plaints made against Sheriffs and Gaolers, who shall compel or procure Prisoners to become Approvers, *viz.* to accuse others.

II. *Stat. 5 E. 3. 8.* Enditees and Appellees in the Kings Bench shall be safely kept in Prison by the Marshals there, and not suffered to go at large, according to the Charge given them by the Justices; and if any complain thereof, the Justices shall do him Right during the Terms.

III. At the end of every Term the Marshals shall acquaint the Justices in what Town they will keep such Prisoners, and shall there allow them Houses at their own Charge.

IV. The Marshals who suffer any such Prisoner to go at large, shall suffer half a years Imprisonment, and be ransomed at the Kings Will, which the Justices have power to enquire of, when they see time.

V. The Proceedings against Marshals shall be within the Verge; and if the Marshals suffer any to escape, they shall be proceeded against according to Law. Howbeit, the King intended not by this Statute to lose the Escape where he ought to have it.

VI. *Stat. 14 E. 3. Stat. 1. 10.* Gaols which were wont to be in the Sheriffs Custody, shall be again rejoined to their Bailiwicks, and they shall put in such Keepers for whom they will answer.

VII. The Gaoler which by *Dures* compels a Prisoner to become an Approver, shall have Judgment of Life and Member.

VIII. *Stat. 13 R. 2. Stat. 1. 15.* The Kings Castles and Gaols which were wont to be joined to the Bodies of the Counties, and be now severed, shall be rejoined to the same.

IX. *Stat. 5 H. 4. 10.* Justices of Peace shall imprison none but in the Common-Gaol; saving to Lords and others (who have Gaols) their Franchise in this Case.

X. *Stat.*

X. Stat. 19 H. 7. 10. The Sheriff of every County shall have the keeping of the Common Goal there, except such as are held by Inheritance or Succession; also all Letters Patents of the keeping of Goals for Life or Years are annulled and void; howbeit, neither the *Kings Bench* nor *Marshalsea* shall be in the Custody of any Sheriff; and the Patents of *Edward Courtney* Earl of *Devon*, and *John Morgan*, for keeping of Prisons, are excepted.

XI. Stat. 6 H. 8. 6. The Justices of the *Kings Bench* have power (by their Discretions) to remand as well the Bodies of Felons, as their Indictments, into the Counties where such Felonies were committed; and also to command the Justices of Goal-delivery, of Peace, and all other Justices and Commissioners there, to proceed and determin such Felonies, in like manner as if their Bodies and Indictments had not been removed.

XII. Stat. 23 H. 8. 2. The Justices of Peace in *Essex, Suffolk, Dorset, Suffex, Surry, Nottingham, Gloucester, Bedford, Buckingham, Huntington, Wilts, Kent, Warwick, Stafford, Oxon, Leicester, Rutland, Lincoln, Hereford, Northampton, Salop, Norfolk, Cornwall* and *Derby*, or the greater part of them, in their respective Counties, have power within one year to appoint the Towns and Places within their respective Limits where common Goals may be edified, and to tax the several Counties for building and furnishing the same. Howbeit this Tax was not to extend to Corporate-Towns having Justices and Common Goals of their own.

XIII. Felons shall be committed to the said Common Goals, and not elsewhere; and the Sheriffs shall have the Custody thereof, and shall be allowed in their Accomps (by the Barons of the *Exchequer*) the Monies expended by them in repair of the same, without any Bill or Warrant of the King to be shewed in that behalf.

XIV. This Act shall not prejudice any person having a Common Goal by Inheritance, or for Life, or Years.

XV. Stat. 5 El. 24. The Statute of 23 H. 8. 2. is continued for ten years, and shall extend to the Counties of *Pembroke, Glamorgan, Cardigan, Radnor* and *Montgomery*.

XVI. 13 Eliz. 25. The Statute of 23 H. 8. 2. and 5 Eliz. 24. shall extend to the County of *Cambridge*, and the said Acts shall continue in force ten years after the ten years Continuance mentioned in 5 El. 24.

XVII. Stat. 14 El. c. 5. Justices of Peace in Sessions, or the more part of them, have power to tax every Parish in the County (but not above 6 *d.* or 8 *d.* apiece) towards the Relief of Prisoners; which Tax the Churchwardens of every Parish shall levy every Sunday, and pay it Quarterly to the High Constable, or (in a Corporation) to the Head Officer; and the High Constable or Head Officer shall pay the same at every Quarter-Sessions to the Collectors thereof, to be appointed by the said Justices, who shall distribute it Weekly to the said Prisoners.

XVIII. The

XVIII. The Churchwardens, High Constables, Head Officers or Collectors aforesaid, which herein shall be found negligent, shall Forfeit 5 *l.* to be divided betwixt the Queen and the Prisoners.

XIX. Justices of Peace within the County shall not intermeddle with a Corporation for the Execution of this Act, but only the Mayor and Head Officers of the same.

XX. Stat. 3 Jac. 1. 10. An Offender which is to be conveyed to the Goal, shall bear all Charges both of himself, and of those that convey him.

XXI. If he refuse so to do, upon a Warrant from a Justice of Peace, the Constable of the Township where he hath any Goods (being within the same County) may sell so much thereof as in the Discretion of the said Justice shall be thought sufficient to satisfy the said Charges: the Appraisement thereof to be made by the Neighbours there, and the Overplus to be rendred to the said Offender.

XXII. If the Offender hath no Goods to satisfy the Charges, the Constables, Churchwardens, and two or three other honest Inhabitants, or in case there be no such Officers there, four of the principal Inhabitants of the Parish where he was taken, shall make a Tax, according to which (being allowed under the Hand of a Justice of Peace) every Inhabitant shall pay the said Charges; and upon Refusal (by Warrant from a Justice of Peace) the Constable, Tythingman or other Officer hath power to levy the same by Distress, and after Appraisement by four Inhabitants there, to sell the same, rendring the Overplus to the party so refusing.

XXIII. Here if the Officer that distrains be sued, he shall plead Justification; and upon Verdict for him, or Non-suit of the Plaintiff, shall recover treble Damages, besides Costs of Suit.

XXIV. Stat. 2. 13 Car. 2. c. 2. They that have cause of personal Action against a Prisoner of the Fleet, may sue an Original, and a Writ of *Habeas Corpus* shall be granted them to the Warden of the Fleet to have such Prisoner before the Court of *Common Pleas*, to answer the Plaintiff; and if the Plaintiff put in his Declaration according to the Original against the Prisoner present at the Bar, the Prisoner shall be bound to appear in person, or put in an Attorney; and unless the Defendant plead upon a Rule to be out at eight days at the least, Judgment by *Nihil dicit* may be entered; and such Charge in Court by Declaration signified by Rule to the Warden, shall be good Cause to detain such Prisoner; who shall not be discharged without *Superfedeas*, or Rule of Court; else the Warden to be responsible to the Court, and to the party in an Action on the Case.

XXV. Stat. 19 Car. 2. cap. 4. The Justices of Peace at their General Sessions may provide a Stock of such Materials as they think convenient, to set poor Prisoners committed to the Goal for Felony and other Misdemeanors, on work, in such manner as other County-charges are levied; and may pay and provide fit persons to oversee and set them on work, and make Orders for Accompts

concerning the Premises and Punishment of Abuses, and bestowing the profit arising by such Labour for the Prisoners Relief. No Parish shall be rated above 6*d.* by the Week.

XXVI. Sheriffs or others having Custody of the Gaol, with consent of three Justices of the Peace, whereof one to be of the *Quorum*, may, if upon emergent Occasions they find it needful, provide other places for the removal of sick or other persons out of the usual Gaols, provided that no such place be used for the said purpose against the good Will of the Owner.

XXVII. The Mayor, Bailiff, and other Head Officer, or others having the Custody of any Goal within any Corporation, with advice of three Justices within the said Corporation, whereof one to be of the *Quorum*, in time of Infection have the like power of removing their Prisoners, and to raise a Stock, *ut supra*.

XXVIII. Stat. 22 & 23 Car. 2. c. 20. Any Justice of Peace may by Warrant require the Sheriff, Gaoler, or Keeper of any Prison within his Jurisdiction to bring the Body of any person being in Prison for Debt on the 14th day of April, 1671. or Damages, to some place within a Mile of the Prison, and to certify the Cause of his Imprisonment, and in case such Prisoner shall take this Oath, *viz.*

I A. B. do upon my corporal Oath solemnly profess and declare before Almighty God, That I have not any Estate real or personal in Possession, Reversion or Remainder, of the value of Ten Pounds in the whole, or sufficient to pay the Debt or Damages for which I am imprisoned; and that I have not directly or indirectly sold, leased, or otherwise conveyed, disposed of, or intrusted all or any part of my Estate, thereby to secure the same, to receive or expect any Profit or Advantage thereof, or defraud or deceive any Creditor or Creditors whatsoever to whom I stand indebted.

XXIX. After the taking of which Oath the Justice may remand the Prisoner, and give him a Certificate thereof, to be served on, or left at the place of abode of such Persons at whose Suit he stands charged, thereby appointing them and the Prisoner to appear at the next Quarter Sessions, when upon Oath that such Certificate was so served or left Forty days or more before the Sessions; and if the said Oath taken by the Prisoner be not disproved upon Oath, the Justices shall by Warrant command the Sheriff, Gaoler, &c. to discharge such Prisoner without Fees.

XXX. Provided, That if the Creditor or Creditors will notwithstanding insist to have such Prisoner continued in Gaol, that then they allow him a Weekly Maintenance, such as the said Commissioners of the Peace, or any Three of them, shall appoint, not exceeding 18*d.* a Week, upon Non-payment whereof, the Prisoner shall be set at liberty.

XXXI. In any Action against any Sheriff, Gaoler or Keeper of Prison for any thing done in obedience to this Act, the Defendant may plead the General Issue, and give this Act in Evidence; and if the Plaintiff be Nonsuit, or Verdict pass against him, the Defendant shall have double Costs.

XXXII. Yet

XXXII. Yet all Judgments had against such Prisoners shall stand good against their Lands, Tenements, Hereditaments, Goods and Chattels, except their wearing Apparel, Bedding for themselves and their Families, and Tools necessary for their Trade.

XXXIII. Prisoners convicted upon any Indictment, by Confession or Verdict, of false Swearing in any Point or Article of the said Oath, shall suffer the Pains and Forfeitures inflicted by *5 Eliz* on persons convict of wilful Perjury; and the Court by Process out of which he was imprisoned, shall award a *Ca. Sa. infinite*, or other Process for apprehending him, and remand him to the Prison whence he was dismissed, where he shall be in Execution as if never discharged, and the Execution upon his Lands and Goods, if any have been in the mean time, shall be good in Law.

XXXIV. Any Sheriff, Gaoler, or Keeper of Prison that shall refuse to bring or discharge any Prisoner in manner aforesaid, shall Forfeit to such Prisoner 100 *l.* to be recovered by Action of Debt in any Court of Record, and be subject to such Fine and Imprisonment as the said Justices shall order.

XXXV. If any Officer whatsoever shall have in his Custody any person by virtue or colour of any Process or Warrant, he shall not convey such person to any Victualling or Drinking-house, without his Consent, so as to charge him with any Sum of Money for Meat or Drink, &c. nor shall take more than by Law may be taken for such Arrest or Waiting (till the Prisoner have procured an Appearance, found Bail, agreed with his Adversary, or be sent to Gaol) nor exact any other Reward for so keeping such person out of Gaol, than what he shall freely give; nor take more for each nights lodging or other Expences, than what shall be judged reasonable by the next Justice of Peace, or at the next Quarter-Sessions, nor shall cause such person to pay for any other thing than what himself shall call for.

XXXVI. Prisoners shall be permitted to send for their necessary Food whence they please, and to use such Bedding, Linen, and other things as they think fit, without purloyning, detaining or paying for the same; nor shall any Officer demand of them greater Fees for their Commitment or Discharge, or Chamber-Rent, than what is allowed by Law, till the same shall be settled by three Justices of the Peace, whereof one to be of the *Quorum*, within their respective Precincts: And for the City of *London* and Counties of *Middlesex* and *Surry*, the two Lord Chief Justices, and the Lord Chief Baron, or two of them, and the Justices of the Peace in their several Jurisdictions.

XXXVII. The two Lord Chief Justices, the Lord Chief Baron, and Justices of Peace in their several Jurisdictions, and all Commissioners for Charitable Uses, shall endeavour to find out all Gifts and Bequests for the Benefit of poor Prisoners for Debt, and may send for any Writings whatsoever, and persons concerned therein, and examine them upon Oath, and settle the same so as the Prisoners may not be defrauded.

XXXVIII. Such Accompts of the said Gifts and Bequests, and the several Rates of Fees and future Government of Prisons, shall be signed by the Lords Chief Justices, and the Lord Chief Baron, or two of them, and the Justices of Peace for *London, Middlesex and Surry*, by the Judges for the Circuits, and the Justices of Peace in their Precincts, and hung up in a Table in each Prison before the First of *November, 1671.* and registred by the Clerks of the Peace.

XXXIX. Prisoners for Debt and Felons shall not be lodged together in one Room: Any Sheriff, Goaler or Keeper of Prisons offending herein, shall lose his place, and treble Damages to the party grieved, to be recovered by virtue of this Act.

XL. Stat. 30 Car. 2. All persons being in Prison on the 29th day of *May, 1678.* for Debt or Damages, or upon any Action or mean Process for Debt, Account or Trespas upon the Case, or that have Judgments upon Record against them, or are charged in Execution, or imprisoned upon Attachments for Debt, or upon any Process whatsoever out of any Court of Law or Equity, for Debt or Damages, or Costs only, may be discharged in such manner as such as were in Prison on the 14th of *April, 1671.*

XLI. Every Clause in the Act of 22 & 23 Car. 2. cap. 20. shall be construed to the benefit of such as shall be in Prison on the 29th of *May, 1678.* as fully as for such as were in Prison on the 14th of *April, 1671.*

XLII. The Weekly Maintenance mentioned in the said former Act, shall be paid to the Prisoner himself, and if within three Months after such Weekly Allowance no Estate of the Prisoner shall be discovered before two Justices of the Peace, the Prisoner shall be discharged by Warrant under two Justices Hands and Seals: And all Prisoners by this or the former Act discharged, are acquitted from payment of any Fees.

XLIII. No Prisoner discharged by this or the former Act, shall hereafter be imprisoned for any Debt, Damages or Sums of Money grown due to, or recovered by any person served, as by the said Act is appointed, before the time of his Discharge; but upon any Action for the same, shewing a Duplicate of his Discharge, may retain an Attorney to appear for him and file common Bail, so that the Plaintiff may recover and enter Judgment, to be levied on the Lands, Tenements, Goods and Chattels of such Prisoner, his Apparel and Furniture for his House (such Furniture not exceeding Ten pounds in value) and necessary Tools for his Trade only excepted, but not upon his person.

XLIV. Sheriffs, Gaolers, and Keepers of Prisons that shall refuse and delay to bring and discharge any Prisoner according to the Order of the Justice or Justices, shall Forfeit to such Prisoner 20 *l.* and be subject to such Fine and Punishment as the said Justices upon complaint shall order.

XLV. Upon any Action brought against any Officer for any thing done in obedience to this Act, the Defendant may plead the

general

general Issue, and give this Act in Evidence; and if the Plaintiff be Nonsuit, or Verdict pass against him, the Defendant shall recover double Costs.

XLVI. The Discharge of any person by virtue of this Act, shall not discharge any other person bound for the said Debt as Principal or Surety.

XLVII. No person shall be discharged by this Act, that shall not before such Oath made, have remained six Months in Prison,

XLVIII. No person shall be discharged by this Act, who shall stand charged in Execution with more than 500*l*. principal Money.

XLIX. No Creditor shall be bound to make any Weekly Allowances, as aforesaid, where any person bound to maintain such Prisoner in discharge of the Parish, is of Ability so to do.

L. Any Creditor ordered to make Allowance, as aforesaid, may within one Week after Notice of such Order, at his own Charge, cause his Prisoner, being a Handy-craftsman or Day-labourer, to be removed to any publick Workhouse in the same County, or within twenty Miles of the Prison, there to be held to Labour, and shall contribute towards his Maintenance only, what shall be requisite above the profit of his Labour, to be ascertained by the two next Justices of the Peace; and if such profit exceed his Maintenance, one Moiety of the Overplus shall go to the payment of his Debts, and the other to the Prisoner himself, to be distributed by the two next Justices of the Peace.

LI. After two years Continuance at any Workhouse, the Prisoner shall be discharged.

LII. Such Commitment to a Workhouse, as aforesaid, to be by a Judge of the Court to which he is a Prisoner, or the two next Justices of Peace to such Workhouse.

LIII. At any Creditor's Request, the said Oath shall be tendred again to any Prisoner released by virtue of this Act, by any empowered to administer it, or any Judge of the Court wherein there is Judgment against him, and upon Refusal the Prisoner shall be remanded in Execution.

LIV. This Act shall not extend to persons in Execution for any Fine for Offences committed before the 29th of *May*, 1678.

LV. Persons detained upon mean Process, if desired, shall give a Warrant to some Attorney to appear or file common Bail, and receive a Declaration, and thereupon have the benefit of this Law as full as if charged in Execution before the 29th of *May*, 1678.

LVI. No Foreigner for any Debt contracted beyond Sea shall have any benefit by this Act.

LVII. No Prisoner shall be discharged until he shall declare upon Oath what Effects are belonging, or Debts owing to him, and by whom, for what Cause, and upon what Security, of which a Schedule shall be made in the presence of the Justices empowered to discharge him, and subscribed by the Prisoner, and by the Justices returned to the next Sessions for the Creditors to sue there-

upon in the Prisoners Name, rendering the Overplus of what they recover and receive, to the Prisoner.

LVIII. If any person shall forswear himself in taking the said Oath, he shall suffer Seven years Imprisonment without Bail, over and above what may by any Law now in being be inflicted.

Prize-Ships.

I. Stat. 19 Car. 2. cap. 11. All Foreign built Ships which have, during the late War, or shall be taken in places yet in Hostility as Prizes, and have been or shall be adjudged Prizes, shall enjoy the Benefit of Free Ships, and export and import Goods, &c. as freely as Eoreign built Ships that did belong to the Kingdom of England before the First day of April, 1661. might then have done, and not in any other manner.

II. Provided, That the Owners of such Ships shall take an Oath at or before the First day of August next, or within three Months after such Ships shall be adjudged Prize, before the Officers of the Customs, that they are the true Owners of the same, and that no Foreigner hath any Share therein, and that they produce the Condemnation of the Ships, as taken during the late War, by a Court of Admiralty of England or Ireland.

III. The Officers before whom such Oath shall be made, shall give Certificates under the Seal of their Office to such as shall demand the same, of all Foreign built Ships, and keep a Register of the same, and within two Months after such Oath made, shall return a Duplicate thereof to the Chief Officers of the Customs at London, Dublin, and his Majesties Plantations, respectively; the said Officers at Dublin and the Plantations being, within two Months after such Oath so made, to return Certificates thereof to the Officers of the Customs at London, with the Owners Names, to the end they may be returned into the Exchequer.

Probat of Testaments.

* I. Stat. 31 E. 3. 4. Bishops shall restrain their Officers from taking excessive Fees for Probats of Testaments, in pain to have them indicted before the Justices for Extortion, as hath been heretofore used.

II. Stat. 21 H. 8. 5. Nothing shall be given for the Probat of Wills or Commissions of Administration, when the Goods of the Dead exceed not 5 *l.* save only 6 *d.* to the Register: Nevertheless, the Judge shall not refuse to prove such a Testament, being exhibited unto him in Writing, with Wax ready to be sealed and proved, *communi forma*, but shall dispatch the Party without delay.

III. For the Probat of a Will, and all other things concerning the same, when the Goods of the Dead exceed 5 *l.* but not 40 *l.* the Judges Fee is 2 *s.* 6 *d.* as before, and the Registers 12 *d.* and when

when they exceed 40*l.* the Judges Fee is 2*s.* 6*d.* as before, and the Registers as much ; or the Register may refuse the 2*s.* 6*d.* and take a Penny for ten Lines of the Will, each Line being conceived to contain ten Inches in length. And for these Fees they shall dispatch the Party without frustratory Delay.

IV. Where there is no Will, or the Executors refuse it, Administration ought to be committed to the Intestates Widow, if he left any, or to the Widow and the next of the Kindred, or (in case he left no Widow) to one or more of the Kindred, or (in case they look not after it) to any Creditor or Creditors that desire it, or (in case they also neglect it) to any other Person or Persons, at the Discretion of the Ordinary, who is enjoined to take Security of such Administrators for the due Administration of the Intestates Goods.

V. Nothing shall be given for Letters of Administration, when the Intestates Goods exceed not 5*l.* and when they exceed 5*l.* but not 40*l.* the Officers Fees are only 2*s.* 6*d.*

VI. The Executors or Administrators, calling to them two or more Creditors, or so many of the next of Kin, or (in their default) two or more Neighbours, or Friends to the Dead, shall in their presence cause a true Inventory to be made of the Goods, and shall deliver the same in upon Oath unto the Ordinary indented, whereof one part shall remain with the Ordinary, and the other with the Executors or Administrators.

VII. The Judge or Ordinary shall not refuse to receive any Inventory indented so tendred unto him in Court, together with his Oath to verifie the same.

VIII. Lands devised to be sold, shall not be accounted any of the Testators Goods.

IX. The Fee of the Copy either of the Will or Inventory, is the same with that above allowed for registering of the Will ; or else the Register may take a Penny for every ten Lines of the length as aforesaid.

X. The Officer that takes more than his due Fee, shall forfeit that excess to the Party grieved, and besides 10*l.* to be divided betwixt the King and the same Party grieved.

XI. This Act shall not alter the Custom where less Money hath been for Probat of Testaments.

XII. The Ordinary may convent Executors to prove the Testator's Will, and to bring in the Inventory, as before, notwithstanding this Act.

Process.

I. Artic. super Chart. 15. 28 E. 1. The Summons and Attachments of Plea of Land shall contain fifteen Days ; except Attachment of Assizes in the King's Presence, and Pleas before Justices in the Eyre during the Eyre.

II. Stat.

II. Stat. 5 E. 3. 11. Justices assigned to hear and determine Felonies, shall direct their Writs to all the Counties of *England*, where need shall be, to take Persons indicted or outlawed for Felony.

III. Stat. 25 E. 3. Stat. 5. 17. Process shall be made in a Writ of Debt and Detinue of Cattle, and taking of Beasts by Writ of *Capias*, and by Process of *Exigent* by the Sheriff's Return as is used in a Writ of Accompt.

IV. Stat. 6 H. 6. 1. Upon Indictment of any Person in the King's Bench for Treason, Felony or Trespas, a *Capias* shall be awarded against him, as well to the Sheriff of the County where he was so indicted, as of the County whereof he is named in the Indictment, returnable (at least) six Weeks after, before an *Exigent* shall be awarded; and if any *Exigent* shall be awarded, or Outlawry pronounced before such Return, they shall be void. This Ordinance shall endure as long as it shall please the King.

V. Stat. 8 H. 6. 10. Upon every such Indictment or Appeal (before Justices of the Peace or other Commissioners) or any Person dwelling in any other County, than where the Indictment or Appeal was taken, before any *Exigent* be awarded thereupon, after the first *Capias* returned, another shall issue out against him to the Sheriff of the County where he is supposed, by the Indictment, to be most conversant, returnable three Months after, before the Justices or Commissioners before whom he was so indicted or appealed, where the Counties are holden from Month to Month; but four Months after, where they are holden from six Weeks to six Weeks.

VI. In this second *Capias* the Sheriff shall be commanded to take him, if he be in his Bailiwick; but if he cannot find him, then to make Proclamation at two several Counties before the Return thereof, that he appear at the Return; at which time, if he come not, an *Exigent* shall be awarded; and every *Exigent* awarded, or Outlawry pronounced otherwise, shall be void.

VII. The Statute of 6 H. 6. 1. is confirmed, and an Action upon the Case is maintainable by the Party wrongfully indicted or appealed against the Procurer thereof, wherein he shall recover treble Damages, and the Process thereof shall be as in Trespas *Vi Et armis*.

VIII. This Act shall not extend to Indictments or Appeals taken in the County of *Chester*.

IX. If the Indicttee or Appellee happen to be conversant in the County where the Indictment is found, at the time of the finding thereof, like Process shall be made against the Person, as heretofore has been used.

X. Stat. 10 H. 6. 6. The Statute of 8 H. 6. 10. is confirmed.

XI. When such Indictments or Appeals as are mentioned in the Statute of 8 H. 6. 10. are removed by *Certiorari* into the King's Bench, like Process and Return, shall be issued and observed in that Court, as the Justices or Commissioners are ordered

dered to issue and observe by the same Statute : and *Exigents* and *Outlawries* otherwise awarded or pronounced, shall be void.

XII. Stat. 19 H. 7. 9. Like Process shall be hereafter had in Actions upon the Case sued in the King's Bench or Common Pleas, as in Actions of Trespas or Debt.

XIII. Stat. 23 H. 8. 14. Like Process shall be had in every Action hereafter to be brought upon the Statute of 5 R. 2. 7. (*which see in Forcible Entry*) as in Trespas : and the like Process also in every Writ of *Annuity* and *Covenant*, as in Debt.

XIV. Stat. 8 Eliz. 2. When any Person shall sue forth of the *Kings's Bench* any *Latitat*, *Alias* and *Plures Capias* against any Person, who thereupon doth appear and put in Bail, if the Plaintiff do not declare within three Days after, or do after Declaration delay or discontinue his Suit, or be Non-suit, the Judges of that Court shall thereupon award Damages against the Plaintiff.

XV. The like shall be done in the Courts of the *Marshalsea*, *London*, and all other Corporations and Liberties, where the Courts are kept *de die in diem* ; but where they are not so kept, then the Plaintiff must declare at the next Court after Appearance, unless he have longer time allowed him by the Court.

XVI. If any shall maliciously (for vexation and trouble) cause or procure any Person to be arrested or attached to answer in any of the said Courts, at the Suit of any Person, whereas there is none such, or without the Consent or Agreement of the Party at whose Suit such Arrest or Attachment is procured ; the Party so causing or procuring the same, and thereof Convict by Indictment, Presentment, the Testimony of two or more Witnesses, or other due Proof, shall suffer six Months Imprisonment without Bail, and shall not be enlarged until he hath satisfied the Party grieved his treble Damages ; and besides, shall forfeit unto him (if he be known) 10*l.* to be recovered (as also the said treble Damages) by Action of Debt, Bill or Plaint in any Court, against the Party so offending, his Executors or Administrators, in which no Essoign, &c. shall be allowed.

XVII. Stat. 12 Car. 2. cap. 3. No Judicial Proceedings commenced or prosecuted before the fifth Day of May, 1660. in the *Stile* or *Teste* of *Custos Libertat. Anglia*, &c. or Keepers of the Liberty of *England*, &c. or of *Oliver* Lord Protector, &c. or of *Richard* Lord Protector, &c. shall be abated by his Majesty's Reassumption of the Government, neither shall the same be cause of Error.

XVIII. One pretended Act made in 1650. for turning the Books of the Law, and all Proceedings in Courts of Justice, into *English*, shall be in force, as if it had been a good Act, from the first Return of *Easter-Term* in 1651. to the first Day of *August* in 1660. and no longer. Also one other pretended Act made in 1650. wherein it was mentioned to be enacted, That it should be lawful for any Persons, by reason of any matter to be pleaded in Bar to
any

any Action in any Court of Record, to plead the General Issue and give the Special Matter in Evidence, shall be in force as touching the pleading of the General Issue, until the first of August, 1660. as if it had been a good Act of Parliament.

XIX. Stat. 2. 13 Car. 2. cap. 2. In all personal Actions, and Actions of *Ejectione firma*, by Original Writ in the Kings Bench or Common Pleas, after Issue joyned and Judgment had, there shall not need to be fifteen Days betwixt the *Teste* and Return of any *Ven. Facias*, *Hab. Corp. Fur.* or *Distr. Fur. Fieri Fac.* or *Ca. Sa.* other than *Cap. ad Sat.* whereon a Writ of *Exigent* after Judgment is to be awarded, and *Cap. ad Sat.* against a Defendant in order to make a Bail liable.

XX. This Act shall not extend to popular Actions, except Debt upon 2 Ed. 6. for Tythes.

Prochein Amy.

I. West. 1. 48. 3 E. 1. If a Chief Lord being Guardian, make Feoffment of the Heirs Land, the Heir shall forthwith recover it by Assize of *Novel Disseisin* against his Guardian, and the Tenant, and the Seisin shall be delivered by the Justices to the next Friend to the Heir (to whom the Inheritance cannot descend) to improve it for the use of the Heir, and to answer him for the Issues at his full Age, and the Guardian shall lose the Custody of the thing recovered, and all the Inheritance that he holdeth by reason of the Heir; but if the Guardian be a mean Lord, he shall lose the Wardship of all, and be grievously punished by the King.

II. If the Infant be carried away, or disturbed by the Guardian of his Feoffee, or any other, so that he cannot sue his Assize, his *Prochein Amy* shall be admitted to do it for him.

III. West. 2. 15. 13 E. 1. If an Infant be eloined, so that he cannot sue personally, his *Prochein Amy* shall be admitted to sue for him.

Prohibition and Consultation.

I. Stat. *De Circumspecte agatis*, 13 E. 1. For Penance corporal or pecuniary enjoined for deadly Sin, as Fornication, Adultery, or the like: also for not fencing the Church-yard, or not repairing the Church, or sufficiently adorning it, a Prohibition lieth not; nor for Oblations, Tythes, Mortuaries, Pensions, laying violent Hands upon a Clerk, Defamation (when Money is not demanded) nor for breaking an Oath.

II. Stat. *De Consultatione*, 24 E. 1. When the Chancellor or Chief Justices (upon sight of the Libel) conceive that the Plaintiff cannot have Remedy in any Temporal Court, the Plaintiff shall have Consultation, viz. the said Chancellor or Chief Justices shall write to the Ecclesiastical Judges before whom the Cause depends, that they proceed therein notwithstanding the Kings Prohibition.

III. Artic.

III. *Artic. Cler. Cap. 1. 9 E. 2.* For Tythes, Oblations, Obventions or Mortuaries, when they are propounded under those Names, the King's Prohibition shall not hold place, albeit for the long with-holding of them they come to a pecuniary Estimation; but if an Ecclesiastical Person lodge his Tythes in his Barn, and then sell them for Money, if that Money be demanded before a Spiritual Judge, for this a Prohibition lieth; for by the Sale they are made Temporal.

IV. *Cap. 2.* If Debate arise upon the Right of Tythes, (having his Original from the Right of Patronage) and the quantity of the same Tythes do amount to a fourth part of the Goods of the Church, for this a Prohibition lieth: also if a pecuniary Penance be demanded in the Court Christian, a Prohibition lieth; but if a Prelate injoyn Corporal Penance, and the Party afterwards commutes for Money, that Money is recoverable in the Court Christian, and in that case a Prohibition lieth not.

V. *Cap. 3.* If any lay violent Hands upon a Clerk, the amends for the Peace broken shall be before the King, and for the Excommunication before a Prelate; and if Corporal Penance be enjoyned, and the Offender will redeem it with Money to give to the Prelate or Party grieved, it shall be required before the Prelate, and the King's Prohibition lieth not.

VI. *Cap. 4.* Also in Defamations the Prelates may correct, notwithstanding the King's Prohibition.

VII. *Cap. 5.* No Prohibition shall be granted where Tythe is demanded out of a Mill newly erected.

VIII. *Stat. 1 E. 3. Stat. 2. 11.* A Prohibition is granted against those who in the Spiritual Court do sue their Indictors.

IX. *Stat. 18 E. 3. Stat. 3. 5.* No Prohibition shall be awarded but where the King hath Conusance.

X. *Stat. 45 E. 3. 3.* A Prohibition (and an Attachment thereupon) shall be granted, where a Suit is commenced in the Spiritual Court for Tythes of Underwood above twenty Years growth in the name of *Sylva cadua*.

XI. *Stat. 50 E. 3. 4.* No Prohibition shall be allowed after Consultation duly granted, so as the Matter in the Libel be not charged.

 Prophecies.

* I. *Stat. 5 Eliz 15.* None shall publish or set forth any phantastical or false Prophecy with an intent to raise Sedition, in pain to forfeit for the first Offence 10*l.* and to suffer one whole Years Imprisonment; and for the second, all his Goods, and to incur Imprisonment during Life; which said Forfeitures are to be divided betwixt the Queen and the Prosecutor.

II. Justices of Assize, Oyer and Terminer and Peace, have power to hear and determin this Offence, being prosecuted within six Months, otherwise not.

Protection.

I. Stat. *De Protectionibus*, 33 E. 1. A Challenge shall be entred against a Protection of the King's Servant; and if the Country pass against him that cast the Protection, it shall turn to a Default, if he be Tenant; and if he be Demandant, he shall lose his Writ, and shall also be amerced to the King.

II. Stat. 25 E. 3. Stat. 5. 19. Notwithstanding the King's Protection of his Debtor, other Creditors may proceed to Judgment against him, with a *Cesset Executio* until the King's Debt be paid; and here, if the Creditors will undertake for the King's Debt, they shall have Execution against the Debtor, both for their own Debts, and likewise for so much as they have paid the King.

III. Stat. 1 R. 2. 8. No Protection with the Clause of *Volumus* shall be allowed for Victuals taken or brought upon the Voyage or Service whereof the Protection maketh mention; neither yet in Pleas of Trespass or Contracts made after the Date of the same Protection.

IV. Stat. 13 R. 2. 16. No Protection with the Clause of *Quia profecturus* shall be allowed in any Plea whereof the Suit was commenced before the Date of such Protection; except in a Voyage where the King goeth in Person, or other Voyage Royal, or in the King's Messages. Howbeit this Act will not infringe Protections with the Clause of *Quia moratur*; and if the Party protected tarry more than a convenient time in the Country without going to the Service, or return from the Service, the Chancellor having notice thereof, shall repeal his Protection.

V. Stat. 7 H. 4. 4. In an Action of Debt brought against the Goaler which letteth a Prisoner escape, a Protection shall not lie.

Provision and Præmunire.

* I. Stat. 25 E. 3. Stat. 5. 22. He that purchaseth a Provision in Rome, for any Abby or Priory, shall be out of the King's Protection, and any Man may do with him as with the King's Enemy. *But this is altered by 5 El. 1. which see in Crown.*

II. The Statute of *Provisors*, 25 E. 3. Stat. 6. made to prevent Collations of Benefices in England by the Pope to the *Provisors* or *Procurors* thereof, as well Aliens as Denizens: And here, the Penalty was Imprisonment without Bail, until he should make Fine to the King, and Satisfaction to the Party grieved, if he were taken; but if not, the *Exigent* should run against him.

III. Stat. 27 E. 3. Stat. 1. cap. 1. A *Præmunire* is granted against such as sue in a Foreign Realm, or impeach there any Judgment given in any of the King's Courts, for any matter

whereof

whereof the Kings Courts may take Conusance: The Penalty is, to be out of the Kings Protection, to forfeit all their Lands and Goods, and to be imprisoned, and ransomed at the King's Will, if they may be found; but if not, they shall be put in *Exigent* and outlawed.

IV. Stat. 3 R. 2. 3. None shall take a Benefice of an Alien, nor convey any Money to him for the Farm thereof, in pain of a *Pramunire*.

V. Stat. 7 R. 2. 12. No Alien shall purchase a Benefice in this Realm, nor occupy the same without the King's Licence, in pain of a *Pramunire*.

VI. Stat. 12 R. 2. 15. If any go out of the Realm to procure (by way of Provision) a Benefice within the Realm, he shall be out of the King's Protection, and the Benefice shall be void.

VII. Stat. 13 R. 2. Stat. 2. 3. A Confirmation of the Statute of Provisors, 25 E. 3. and if any accept of a Benefice contrary to the said Statute, he shall incur a *Pramunire*, and suffer a perpetual Banishment.

VIII. Stat. 16 R. 2. 5. None shall purchase Bulls or other Instruments from Rome, or elsewhere, in pain to incur a *Pramunire*. The Crown of England is subject to none.

IX. Stat. 2 H. 4. 3 & 4. Religious Persons purchasing Bulls from the Pope to be exempted from Obedience or Tythes, shall incur a *Pramunire*.

X. Stat. 7 H. 4. 8. No Provision shall be made by the Pope, nor Licence or Pardon by the King touching any Benefice then full of an Incumbent.

XI. Stat. 3 H. 5. 4. All Provisions made by the Pope, and Licences or Pardons by the King, touching any Benefices full of an Incumbent, shall be void, and the Provisors thereof shall incur a *Pramunire*.

Purprestures.

I. Stat. *De Bigamis*, 4 E. 1. cap. 4. Purprestures, or Ufurpations upon the King, shall be reseized; and if any complain of such Reseizures, he shall be heard, and have Right done him.

Purveyors.

* I. *Magna Charta*, 21. 9 H. 3. No Sheriff or Bailiff of the King, or any other, shall take any Horses or Carts of any Man to make Carriage, except they pay for Carriage, with two Horses, after the Rate of 10 d. a Day, and with three; 14 d. a Day.

II. No Demesne Cart of any Spiritual Person, Lord or Knight, shall be taken for Carriage by the King's Bailiffs; neither shall any Wood be taken for the King's use, without the Owners Licence.

III. Art,

III. *Art. super Chart. 2, 28 Ed. 1.* If a Purveyor be attainted to have taken any thing without Warrant, he shall be conveyed to the next Goal, and suffer as a Felon, if the value of the Goods do so require.

IV. *Stat. 36 E. 3. 6.* It is Felony for any Subjects Servant to take any thing by way of Purveyance, without the Owners notice.

V. *Stat. 20 H. 6. 8.* A Purveyor that takes Goods whose value exceeds not 10 s. and pays not present Money for them, may lawfully be resisted : And here the Constable, Headborough, or other Officer, shall (upon Request) assist the Owner, in pain to yield unto the said Owner the value of the Goods taken, and double Damage.

VI. None of the King's Officers shall arrest or trouble any of the King's Subjects for any such Resistance, in pain of 20 l. to be divided betwixt the King and the Prosecutor.

VII. Justices of Peace have power to hear and determin the Offences committed against this Act, and upon Conviction of the Defendant, to award Damages to the Plaintiff.

VIII. *Stat. 12 Car. 2. cap. 24.* From henceforth no Sum of Money or other thing shall be raised for Provision, Carriages, or other Purveyance for the King.

IX. No Person by colour of making Purveyance for the King, Queen, or their Children, or any of their Household, shall take any thing of any Subject without the Owners Assent, nor shall require any to find Horses, Oxen, or other Cattle or Carriages for any King or Queen, &c. without Consent as aforesaid.

X. No Pre-emption shall be allowed in the behalf of the King, Queen, &c. in Market or out of Market ; and if any make purveyance or impress Carriages or other things by colour of any Warrant under the Great Seal, or otherwise, contrary to the intent hereof, any Justice of Peace, or the Constables of the place may commit the Offenders till the next Sessions ; and the Party recover treble Damages and treble Costs. And if any (after notice that the Action depending is grounded on the said Statute) shall procure such Action to be delayed by colour of any Authority, save only of the Court where it is depending, or Execution to be stayed save only by Writ of Error, or Attaint, or Order of such Court where such Writ is depending, he shall incur a *Pramunire*. Saving the King's Right to or out of Tin, in the *Stannaries* of Devon and Cornwall, and ancient Duties of the Butlerage and Prizage of Wines. *Confirmed 13 Car. 2. cap. 7.*

XI. *Stat. 13 & 14 Car. 2. cap. 20.* When the Service of the Navy shall require any Carriages by Land, upon Notice by Warrant under the Hand and Seal of the Lord High Admiral, or two of the principal Officers of the Navy, or the Master of the Ordnance, or of the Lieutenants of the Ordnance, to two or more Justices of Peace near the place where the said Carriages shall be

be required, the said Justices shall Issue their Warrants to the adjacent Parishes, &c. not being above twelve Miles distant from the place of lading, for the sending to a certain place, and at certain times, such numbers of Carriages with Horses or Oxen, as by the Lord High Admiral, &c. shall be required. The Owners whereof shall receive for every Load of Timber 1 s. for every reputed Mile which they shall go laden, and for other Provisions, 8 d. *per* Mile for every Ton.

XII. The Lord High Admiral, &c. may by Warrant, as often as the Service of the Nation shall require, appoint Persons to impress any such Vessels as shall be necessary for the Accommodation of the King's Service; the Owners whereof shall receive for the Hire thereof *per* Ton, according to the Rates paid by Merchants: and if the King's Officers and the Owners cannot agree, then the Rates shall be set by the Brotherhood of *Trinity-House* of *Deptford-Strand*.

XIII. If any of the King's Subjects shall refuse, after Notice, to appear with such Carriages by Land, or to provide Vessels for the Service of the Navy, as aforesaid, or shall, after they have undertaken such Service, neglect the same, upon Conviction of such Refusal or Neglect, by Oath of the Constable, or other Officer, or of two other Witnesses, before the said Justices of Peace, or Chief Officer of the Corporation where they inhabit, for the Land-Carriages; and for Water-Carriages, by the Oath of such person as shall be appointed by the Lord High Admiral, &c. or two other Witnesses, before the principal Officers of the Navy, or Master or Lieutenant of the Ordnance, they shall forfeit 20 s. for the Land-Carriage, and for Carriage by Water treble the Freight of such Vessel, not exceeding Fifty Pounds in the whole, to be forthwith levied by Distress and Sale of Goods.

XIV. Provided, That no Horses, Oxen, or Land-Carriage, be enforced to travel more Days Journey from the place of their Lading, or be longer in the Employment than shall be appointed by Order of the said Justices, and that ready Payment be made at the place of Lading.

XV. If any Justice of the Peace, or any Person appointed by the Lord High Admiral, &c. shall take a Reward to spare any Person, or shall injuriously charge any who ought not to make such Carriage, or shall impress more Carriages than he shall be commanded, he shall forfeit 10 l. and if any impress Horses, &c. or Carriages for Land, or any Vessels other than the Persons empowered, as aforesaid, they shall incur the Punishment contained in the Act of 12 Car. 2. cap. 24.

XVI. No Vessel freighted by Charter-party, if there be other Vessels in the Port fit for the Service, nor any Vessel quarter-laden with Merchandizes outward bound, shall be liable to be impressed.

XVII. This Act shall continue to the end of the first Session of the next Parliament, and no longer.

XVIII. The Justices of Peace may (as to the Carriage of Timber only) allow to the Owners of Carriages within the Division of the New Forest in the County of Southampton, not exceeding 4 *d.* per Mile, for so many Miles as their Carriages shall go empty to the place of their lading.

XIX. Stat. 1 Jac. 2. cap. 11. The Act of 13 & 14 Car. 2. Intituled, *An Act for the providing Carriage by Land and by Water, for the use of his Majesties Navy and Ordnance*, shall be in force for the space of seven Years, from the 24th of June 1685. and to the end of the first Session of Parliament then next ensuing, and no longer. Continued for Seven Years, from the Thirteenth of February, 1692. and to the end of the next Session of Parliament, per Stat. 4 & 5 W. & M. Sess. 4. cap. 24.

XX. Stat. 1 Jac. 2. cap. 10. The Clerk or Chief Officer of the King's Carriages, shall three days before the King's Arrival, by Warrant from the Green-cloth, give notice to two or more Justices of Peace next adjoining, to provide such a number of Carriages as the King shall have present use of, expressing the number, and time and place when and where they are to attend; such Carriages to consist of Four Horses, or Six Oxen, or Four Oxen and two Horses; for each Carriage the Owners to receive 6 *d.* for every Mile they go laden. In case any refuse to provide the King, the Queen, or Catharine Queen Dowager, in their Progress, or Removals, with such Carriages and other Necessaries for ready Monies, or without just Cause refuse to make their Appearance with such Carriages as aforesaid, upon due proof of such Neglect, by Oath of the Constable, or other Officer, or two other Credible Witnesses before the said Justices, or Chief Officer of the Corporation where they inhabit, they shall forfeit 40 *s.* to be forthwith levied by Distress and Sale of Goods.

XXI. No Horses, Oxen, Cart or Wain shall be enforced to travel above one days Journey, and Payment shall be made at the place of lading. Justices of Peace and others taking Reward to spare any from making such Carriage, or grieving any through Envy or Evil-will, or impressing more Carriages than shall be directed, shall forfeit 10 *l.* to be recovered by Action of Debt; and if any shall impress as aforesaid other than the person so empowered, he shall suffer the Punishment contained in the Act of 12 Car. 2. cap. 24.

XXII. None of his Majestie's Servants in his Progress, shall be compelled to pay above 6 *d.* by the Night for a Bed for themselves, nor above 3 *d.* for every Bed for their Servants; and where they pay for Diet, or Provender for their Horses, Lodging shall be provided for them and their Servants for nothing.

XXIII. Two

XXIII. Two or more Justices near adjoining to the Road, through which the King is to pass, shall immediately after notice from the Green-cloth under their Hands and Seals appoint such Prices to be paid during the King's abode there, for Hay, Oats, and other Accommodations for Horses as they shall think fit, which Prices one Day at least before the King's coming, they shall cause to be proclaimed in the Market-Town next to such place, and in such neighbouring Towns and Villages as they shall think fit; and if any person take more than shall be so limited, and be convicted by Confession, or Oath of one Witness before any Justice of Peace, he shall pay to the party grieved 40 s. to be levied by Distress. This Act to continue to the end of the first Session of the next Parliament, and no longer.

XXIV. Where any Carts shall be summoned to attend, and not be employed, the Cart-taker shall pay to the Owner, &c. for every Cart not employed 5 s. and if he refuse to pay the same, upon Proof thereof to the Green-cloth, he shall forfeit to the Party grieved 40 s.

XXV. The Officer who shall be required by this Act to warn in the said Carriages, shall make a Return to the Clerk of the Carriages, of the Name and Place of Abode of every Person warned.

Quakers, Vide Nonconformists.

Queen:

I. Stat. 1. **A**ll Regal Power of this Realm, and all Dignities, **M. Parl. 2. 1.** **A**ll ties and Pre-eminences thereunto belonging, shall be as well in a Queen as in a King.

Quod permittat.

I. West. 2. 24. 13 E. 1. In like manner as a Parson of a Church may recover Common of Pasture by a Writ of *Novel disseisin*, to his Successor shall have a *Quod permittat* against the Disseisor, or his Heir, though there was never such a Writ granted out of the Chancery before.

Rape.

*** I. West. 1. 13. 3 E. 1.** **N**One shall ravish or take away by force any Maid within Age, (neither by or without her Consent) nor any Wife, or Maid of full Age, nor any other Woman against her Will.

II. Here any Person may sue within forty days; but if not, then the King shall have the Suit: And such as be found culpable, shall suffer two Years Imprisonment, and make Fine at the King's Will; and if they have not whereof, they shall be punished by longer Imprisonment, as the Trespass requireth.

III. *West.* 2. 34. 13 *E. 1.* If a Man ravish a Woman married, Maid, or other, where she did not consent, neither before nor after, he shall have Judgment of Life and Member.

IV. Where a Man ravished a Woman married, Lady, Damofel, or other, albeit she consent after, yet he being attainted thereof, shall have like Judgment as before: And here the King shall have the Suit.

V. Of Women carried away with the Goods of their Husbands, the King shall have the Suit for the Goods so taken away.

VI. If a Woman willingly leave her Husband, and go away, and continue with her Advowterer, she shall be barred for ever of Action to demand her Dower, unless her Husband willingly (and without Coercion of the Church) reconcile her, and suffer her to dwell with him.

VII. None shall carry away a Nun from her House, (albeit she consent) in pain to suffer three years Imprisonment, and to make Satisfaction to the House, and Fine to the King.

VIII. *Stat.* 6 *R. 2.* 6. Both the Ravisher and Ravished (where she consents after the Fact) are disabled to have or challenge any Inheritance, Dower, or Joynt-Estate after the Death of their Husband, or Ancestor.

IX. In an Appeal of Rape, the Husband, Father, or next of the Blood, shall have the Suit; and the Defendant shall not be received to wage Battle.

Reasonable Aid.

I. *West.* 1. 36. 3 *E. 1.* and 25 *E. 3.* *Stat.* 5. 11. Reasonable Aid, to make the King's eldest Son a Knight, and to marry his eldest Daughter, shall be for a Knight's Fee holden of the King without Mean 20 s. and every 20 l. Land in Socage shall pay as much, and so more or less according to that rate; and it shall be levied at fifteen Years Age of the Son, and seven Years of the Daughter. Here if the Father levy it, and die before the Marriage of the Daughter, the Father's Executors shall be charged therewith; and if they have not Assets, the Heir shall be therewith charged.

Receivers.

I. *Stat.* 34 & 35 *H. 8.* c. 2. All Collectors of Fifteens and Subsidies, or other Taxes or Loan, and all particular and general Receivers of the Kings Revenues, shall within three Months after the

the same are due, and by them received, truly pay them unto the King's uses, in pain to lose their Offices, and also to forfeit 4 s. for every Pound so received, and not paid in, as aforesaid, to be recovered by Bill, Plaint or Action of Debt, at the King's Suit: Howbeit lawful Tender thereof within the said time shall excuse the said Penalties, albeit they be not then received by the proper Officer, by reason of other Occasions.

II. Provided, That the Heir of any such Collector or Receiver shall not be charged (by reason of this Act) but only in Lands which descend in Fee-simple or Fee-tail, or which have been conveyed unto him by Collusion from such Collector or Receiver; neither shall their Executors or Administrators be otherwise charged for the same, than as they are chargeable by the Common Law in Actions of Debt commenced against them as Executors or Administrators.

III. The Heir being charged, shall have Remedy against the Executors or Administrators of his Father or Ancestor, and shall have Execution of such Goods and Chattels as remain in their Hands at the time of the Action brought.

IV. This Act shall not extend to the Collectors of the Custom, or of Tonnage and Poundage; nor to restrain the payment of Pensions, Fees, Annuities, Rents, or other Allowances to be paid by the said Receivers, according to the several Allowances thereof.

V. Stat. 7 E. 6. 1. Every Treasurer, general and particular Receiver, Bailiff, and Minister Accomptant to the King, shall, before his Entry upon the Office, be bound with Surety or Sureties for his true Accompt and Payment, in pain to lose his Office.

VI. Every such Receiver, his Deputy or Deputies, shall yearly make Precepts to the several Collectors, Ministers and Bailiffs Accomptant within the Circuit of his Office, charging them thereby personally to appear before him, or by their Deputy or Deputies, (for whom they will answer) within the County where such Offices do lie, at a certain day and place in the said Precept to be limited, to pay in such Monies as shall be due (within their Collections) to the King, at or before *Easter*; which Precept shall be delivered unto them, or left at their Houses, or the Places where their Collections are, twelve Days (at least) before the Day of Appearance.

VII. Here if the Accomptant make default of Appearance, and be thereof duly convict in the Court where the Revenue is, he shall forfeit for the first Offence, his whole Fee for that Year, or the Value thereof; and for Non-payment of the Money then due, shall lose for the first Offence, 6 d. in the Pound for every Month after the said Day of Appearance, until it be paid in unto the Receiver.

VIII. Like Precepts are to be sent unto the said Accomptants by the Auditor for Appearance at the Audit, at a certain Day after *Michaelmas*, and for accompting there before him for Monies due at or before that Feast, upon the like Penalties (for the first Offence) as before, if they appear not, or refuse to accompt; they are then also to pay in to the Receiver all Monies found due by the Auditor upon their Accompts.

IX. For the second Default of Appearance at the Audit, they shall lose their Offices; and for their second Offence of not paying in the Monies due at or before *Michaelmas*, they shall forfeit 12 *d.* for every Month until they be paid.

X. The Receivers shall yearly pay in all Monies due at or before *Easter* (which they know to be due, and can by any lawful means receive) by the 20th of *June* at farthest, as those due at or before *Michaelmas* by the 20th of *January*, in pain to forfeit 2 *d.* in the Pound for every Day they so make Default of Payment.

XI. Every Receiver shall yearly enter into his Accompt in *Hillary* Term, finish it before the tenth of *March*, and pay in all the Monies due upon his Accompt before the 20th of *March*, in pain to forfeit 4 *d.* in the Pound for every Day that he withholds the same longer.

XII. Every Receiver, Collector and Bailiff have power to distrain for Arrears, and to order the said Distresses in like sort as any Officers of the Exchequer for Non-payment of the King's Rents and Revenues have lawfully used to do, delivering to the party distrained the Overplus of the value of every such Distress, the King's Debts being first paid, and the Distrainer answered his reasonable Costs.

XIII. The King's Chief Officers of the King's Courts of Revenue (being of Record) have power to set Fines and Amerciaments upon Sheriffs for not returning or mis-returning of Writs issued out for the levying of the King's Debts or Revenues.

XIV. All Treasurers, Chamberlains, General Receivers, and Customers shall upon ten Days notice, (from the King, or six of the Privy Council) render an Accompt of what Monies are in their Hands, and shall make ready Payment thereof, in pain to lose their places.

XV. The said Treasurers, Chamberlains and General Receivers, or their Deputies, shall yearly, before the 20th of *June*, make a perfect Accompt of all such Monies as came to their Hands before the 20th of *March* next before, and shall make a perfect and whole Declaration in Writing of the Money remaining in their Hands (to the King or his Council) yearly before the last of *June*, and shall make Payment thereof as they shall be afterwards commanded by sufficient Warrant, in pain to forfeit their Offices.

XVI. No

XVI. No Treasurer, Receiver or Master-Accomptant, or their Deputies shall receive for the Payment any Fees, Annuities, Pensions, Duties or Warrants more, or otherwise, than they lawfully may by former Laws and Statutes in that behalf provided, in pain to forfeit for every Penny or Penny-worth, otherwise taken, 6s. 8 d. to the party grieved, to be recovered by Bill, Plaint or Action of Debt.

XVII. The Auditor that refuseth or delayeth to take an Accompt, so that the Accomptant cannot pass his Accompt within the time above-limited, shall forfeit as much as the Accomptant should have forfeited, and the Accomptant shall be discharged thereof.

XVIII. The Auditor or his Deputy shall in convenient time (upon the Request, and at the Costs of the Accomptant) deliver unto the Accomptant a Duplicate or Copy of his Accompt under his or their Hand, in pain to forfeit 10 l. to the King.

XIX. This Act shall not extend to Archbishops or Bishops concerning their Accompts, or Payment of Tenths; nor to any Sheriff, Escheator, or Collector of *Dismes*, *Quinzimes*, Benevolences, Contributions, or Subsidies, the Subsidies of Tonnage and Poundage only excepted.

Recognizance and Statute-Merchant.

I. *Aston Burnel*, 13 E. 1. The Merchant that will be sure of his Debt, shall cause his Debtor to come before the Mayor of *London*, *York* or *Bristol*, or before the Mayor and Clerk, (which the King will appoint) to acknowledge the Debt and the Day of Payment; which Recognizance shall be entred into a Roll with the Hand of the said Clerk.

II. The Clerk shall make with his own Hand a Bill obligatory, whereunto the Seal of the Debtor shall be put together with the King's Seal, to be appointed for that purpose, which Seal shall remain in keeping of the said Mayor and Clerk.

III. If the Debtor fail at the Day upon notice thereof to the Mayor and Clerk, they shall cause his Chattels and divisible Burgages to be sold as far as the Debt do amount by Appraisment of honest Men, and the Money without delay shall be paid to the Creditor; and in case they cannot sell them, they shall cause so much of the Movables to be delivered unto him as amount to the Debt, and the King's Seal shall be put unto the Sale and Deliverance of the Burgages.

IV. If the Debtor have no Movables within the Mayor's Jurisdiction, then shall the Mayor send the Recognizance unto the Chancellor, under the King's Seal, and the Chancellor shall thereupon direct a Writ to the Sheriff in whose Bailiwick the Movables of the Debtor be, who shall proceed therein as the Mayor might have done, if the said Movables had been in his Power.

V. If the Appraisers set too high a Value upon the Things that are to be sold, they shall be compellable to take them at the same Price, and shall forthwith be answerable to the Creditor for his Debt: And albeit the moveable Goods are sold for less than they are worth, yet is the Debtor without Remedy; and it shall be imputed to his own Folly, that he would not sell them himself when he might.

VI. If the Debtor have no Moveables whereupon the Debt may be levied, he shall be imprisoned, and there remain until he agree with the Creditor; and if he be in want, the Creditor shall find him Bread and Water, which the Prisoner shall also satisfy before he be enlarged. A Merchant-Stranger shall also be satisfied for his stay about his said Business.

VII. If the Debtor have Sureties, they shall be bound and proceeded against in like form as is before declared against the Debtor. Howbeit, so long as the Debt may be levied of the Goods moveable of the Debtor, his Pledges or Mainpernors shall be without damage.

VIII. Stat. *De Mercatoribus*, 13 E. 1. The Merchant shall cause his Debtor to come before the Mayor of London, or before some Chief Warden of a City, or other good Town, where the King shall appoint, and before the Mayor, or Chief Warden, or other discreet Men chosen and sworn thereto, when the Mayor or Chief Warden cannot attend, and before one of the Clerks that the King shall thereto assign, when both cannot attend, to acknowledge the Debt and Day of Payment; which Recognizance shall be enrolled by one of the said Clerks Hands, being known; and the Roll shall be double, whereof one part shall remain with the Mayor or Chief Warden, and the other with the said Clerk.

IX. Then one of the Clerks shall write an Obligation, whereunto the Seal of the Debtor shall be put, together with the King's Seal provided for the purpose: which Seal shall have two pieces, whereof one part shall remain with the Mayor or Chief Warden, and the other with the aforesaid Clerk.

X. If the Debt be not paid at the Day upon the Merchant's Accompt, the Mayor or Chief Warden shall cause the Debtor to be imprisoned, (if he be Lay, and in their power) there to remain at his own Costs, until he hath agreed the Debt: And the Keeper of the Prison there shall receive him, in pain to answer the Debt himself, or (if he be not able) he that committed the Prison to his keeping.

XI. If the Debtor cannot be found by the Mayor or Chief Warden, they shall send the Recognizance under the King's Seal into the Chancery, from whence shall issue a Writ to the Sheriff of the County where the Debtor is, to take his Body, (if he be Lay) and safely to keep him in Prison, until he agree the Debt; and within a Quarter of a Year after he is so taken, his Goods and Lands shall be delivered unto him, to the end he may pay

pay the Debt, within which time the Sale of the Lands shall be good.

XII. If he do not satisfie the Debt within that Quarter, all his Lands and Goods shall be delivered to the Merchant by a reasonable Extent, to hold them until the Debt be wholly levied; nevertheless his Body shall still remain in Prison, and the Merchant shall find him Bread and Water.

XIII. The Merchant or his Assigns shall have such Seisin in the said Lands, that he may maintain a Writ of *Novel Disseisin*, if he be put out, and a *Redisseisin* also, as of a Free-hold to him and his Assigns, until the Debt be paid; but when the Debt is levied, the Body of the Debtor shall be delivered, together with his Lands.

XIV. In the Writ awarded by the Chancellor, the Sheriff shall be directed to certifie the Justices of one of the Benches, at a certain Day, how he hath performed the Service; and then the Merchant shall sue before the said Justices, if he be not satisfied.

XV. If the Sheriff make no return of the Writ, or return a *Tarde*, or that he hath directed it to the Bailiff of some Franchise, the Justice shall proceed according to the Statute of *Westm. 2. cap. 39.* (*which see in Return of Sheriffs and Bailiffs*)

XVI. If the Sheriff return a *Non est inventus*, or that he is a Clerk, the Merchant shall have Writs to all the Sheriffs where he hath any Land; that they shall deliver him all the Goods and Lands of the Debtor by a reasonable Extent, to hold to him and his Assigns in form aforesaid: Nevertheless, he may also have a Writ to what Sheriff he will, to take his Body (if he be Lay) and to detain him in manner aforesaid; and the Keeper must answer the Body of the Debt. But yet the Debtor may sell the Lands, so the Merchant be not damnified by the Appraisment.

XVII. Here the Merchants shall always be allowed their Damages, and all necessary and reasonable Costs for their Labours, Suits, Delays and Expences.

XVIII. If the Debtor have Sureties, the like course shall be taken against them as is above limited to be taken against the principal Debtor.

XIX. All the Lands in the Hands of the Debtor at the time of the Recognizance acknowledged, are chargeable, into whose Hands soever they come afterwards; but after the Debt satisfied, they shall return to the Grantees, as also the rest to the Debtor.

XX. If the Debtor or his Sureties die, the Merchant shall not take the Body of his Heir, but shall have his Lands, as aforesaid, if he be of Age, until he hath levied his Debt.

XXI. There shall be also another Seal provided that shall serve for Fairs, and shall be sent to every Fair under the King's Seal by a Clerk sworn, or by a Keeper of the Fair.

522 Recognizance and Statute-Merchant.

XXII. Of the Commonalty of *London* there shall be two Merchants chosen and sworn, and the Seal shall be opened before them, whereof one Piece shall be delivered to the said Merchants, and the other shall remain with the Clerk.

XXIII. Before these Merchants, or one of them, the Recognizances shall be taken; and before they be enrolled, the pain of the Statute shall be openly read before the Debtor, that he may not afterwards excuse himself by ignorance of the said pain.

XXIV. For the Clerk's Maintenance, the King shall take a Penny for every Pound where the Seal is, except in Fairs, and there a Penny Half-penny.

XXV. This Act shall be from henceforth observed throughout *England* and *Ireland*, between any that will make Recognizances, except *Jews*, to whom it doth not extend.

XXVI. By this Statute the Writ of Debt shall not be abated; neither shall the Chancellor, Justices of either Bench, or Justices Errants, be hereby estopped to take Recognizances of Debts before them acknowledged, and to issue Execution thereupon, as hath heretofore been used.

XXVII. *Breve fundatum super Statutum prædictum.*

Rex Vic. salutem. Quia coram tali Majore vel Custode talis ville, vel coram Custode Sigilli nostri de Mercatoribus in mundanis de tali loco & tali Clerico nostro A. recognovit debere B. tantum, quod solvisse debuit tali die & tali anno, quod idem B. nondum solvit, ut dicit; tibi præcipimus, quod corpus prædicti A. (si laicus sit) capias, & in prisona nostra salvo custodire facias, quousque de prædicto debito satisfecerit; & qualiter hoc præceptum nostrum fueris executus scire facias Justiciariis nostris apud Westm. per literas tuas sigillatas, & habeas ibi hoc breve. Teste, &c.

XXVIII. Stat. 14 E. 3. 11. The Clerk of the Statute shall be resident upon his Office, and shall have Lands sufficient in the same County, whereof he may answer to all Persons if he offend.

XXIX. Stat. 8 R. 2. 4. No Judge or Clerk shall make any false Entry of Pleas, raze any Roll, or change any Verdict, in pain to be punished by Fine and Ransom at the King's will.

XXX. Stat. 5 H. 4. 12. When a Statute Merchant hath been certified into the Chancery, and thereupon a Writ awarded to the Sheriff, and returned into the Common Pleas, and the Statute there once shewed, albeit the Process thereof be after that discontinued, yet the Party shall have the Process re-continued, and shall also have Re-execution upon the same Statute, without shewing it again to the Court.

XXXI. Stat. 11 H. 6. 10. He that sueth for a *Scire Facias* in Chancery, to defeat an Execution upon a Statute-Staple, shall find Surety both to the King and the Recognisee, to prosecute his Suit with effect, &c.

XXXII. Stat,

XXXII. Stat. 23 H. 8. 6. The Chief Justices of the King's Bench and Common Pleas, or either of them, or (in their Absence out of the Term) the Mayor of the Staple at *Westminster*, and the Recorder of *London*, joyntly together shall have power to take Recognizances for the Payment of Debt, in this Form following.

XXXIII. *Noverint universi per present. nos A. B. & D. C. teneri & firmiter obligari Johanni Style in centum libris Sterling. solvendis eidem Johanni, aut suo cert. Attornat. hoc script. ostend. Hared. vel Execut. suis in tal. fest. &c. proxim. futur. post dat. present. Et si defecero, vel defecerimus in solutione debiti. predicti. volo & conced. vel sic, volumus & concedimus quod tunc currat super me, Hared. & Execut. meos, vel super nos, & quemlibet nostrum, Hared. & Execut. nostros, pena in Statut. Stapul. de debiti. pro Merchandisis in eadem emptis recuperand. ordinat. & provis. Dat. tali die, Anno Regni Regis, &c.*

XXXIV. Such Obligation shall be sealed with the Seal of the Recognisor or Recognisors, as also with such a Seal as the King shall appoint for that purpose, and with the Seal of one of the Chief Justices, or the Seals of the said Mayor of the Staple and Recorder, and every of the said Justices: And the said Mayor and Recorder shall have the Custody of one such Seal to be appointed by the King, as aforesaid.

XXXV. The Clerk of the Recognizances (to be also appointed by the King) or his sufficient Deputy or Deputies shall write and inrol such Obligations in two severall Rolls indented, whereof one shall remain with such of the said Justices (or with the said Mayor and Recorder) as take such Recognizance, and the other with the Writer thereof; also such Clerk or his Deputy or Deputies shall be dwelling or abiding in *London*, and shall not be absent from thence by the space of two Days, in pain to Forfeite 10 l.

XXXVI. The Clerk or his Deputy (at the request of the Creditors, their Executors and Administrators) shall certifie such Obligations in the Chancery under his or their Seal.

XXXVII. The Recognizees of such Obligations, their Executors and Administrators, shall have in every Point, Degree and Condition against the Recognizors, their Heirs, Executors and Administrators, such Process, Execution, Commodity and Advantage, as hath been had upon an Obligation of the Statute of the Staple, and shall also pay like Fees for the same.

XXXVIII. Here the Recognizor so bounden, or otherwise grieved by such an Obligation, shall have like Remedy by *Audita querela*, and all other Remedies in the Law, as upon Obligations of the Statute of the Staple.

XXXIX. Upon the sealing of the Process for the Execution of every such Obligation, the King shall have an Half-peny in the Pound.

XL. The

XL. The Tenant by such a Recognizance, his Executors or Administrators being outed, shall have like Remedy as upon an Obligation of the Statute of the Staple.

XLI. The Justices or the Mayor and Recorders Fees for taking such a Recognizance, is 3 s. 4 d. and the Clerk's Fee is as much, and his Fee for certifying such an Obligation is 20 d. And none of them shall take more in pain of 40 l.

XLII. From henceforth the Mayor or Constable of the Staple shall take no Recognizance of the Statute of the Staple, in pain of 40 l. except between Merchants being free of the same Staple, for Merchandize of the said Staple, between them lawfully bought and sold.

XLIII. The Forfeitures abovesaid are to be divided betwixt the King and the Prosecutor, and proved by Information, Action of Debt, Bill, Plaint, in which no Essoign, &c. shall be allowed.

XLIV. Stat. 16 & 17 Car. 2. cap. 5. When any Judgment, Statute or Recognizance shall be extended, it shall not be avoided or delayed by occasion that any part of the Lands extendible are omitted; saving to the Party whose Lands are extended his remedy for Contribution.

XLV. Provided that this Act shall not give any Extent or Contribution against an Heir within Age in respect of Lands descended otherwise than before the making of this Act, and shall extend only to Statutes for payment of Money and Extents within twenty Years after the Judgment, &c. had and obtained.

XLVI. This Act shall continue for three Years, and from thence to the end of the next Session of Parliament.

XLVII. Stat. 22 & 23 Car. 2. cap. 2. The Act of 16 & 17 Year of the King that now is, to prevent delays in extending Statutes, Judgments and Recognizances shall be perpetual from the end of the last Session of Parliament.

Records.

I. Stat. 9. E. 3. 5. Justices of Assize, Goal-delivery and Oyer and Terminer, shall yearly at Michaelmas send all their Records and Processess (determined and put in Execution) into the Exchequer, which the Treasurer and Chamberlains there shall receive under their Seals, and keep them in the Treasury: Howbeit the said Justices shall first take out the Estreints of the said Records and Processess to send them to the Exchequer, as they were wont to do.

Recoveries.

I. Stat. 7H. 8. c. 4. Recoverers of Manors, Lands, Tenements and Advowsons, their Heirs and Assigns, may distrain for Rents, Services and Customs due and unpaid, and make Avowty and justify the same, and have like remedy for recovering them, as the Recoverers

Recoverers might have done or had, albeit the said Recoverers were never seized thereof; and shall also have a *Quare Impedit* or an Advowson (if upon a Voidance) any disturbance be made by a Stranger, as the Recoverers might have had, albeit they were never seized thereof by Presentation.

II. Here every Avowant or Bailiff in any *Replegiare*, or second Deliverance, if their Avowry, Conusance or Justification be found for them, or the Plaintiff be otherwise barred, shall recover his damages and costs.

III. Stat. 21 H. 8. 15. A Termor for Years may falsifie a feigned Recovery had against them in Reversion, and shall retain and enjoy his Term against his Recoverer, his Heirs and Assigns, according to his Lease.

IV. Also the Recoverer shall have like remedy against the Termor, his Executors or Assigns, by Avowry or Action of Debt, for Rents and Services reserved upon such Lease, and due after such Recovery, and also like Action for Waste done after such Recovery, as the Lessor might have had if such Recovery had never been.

V. No Statute of the Staple, Statute-Merchant or Execution by *Elegit*, shall be avoided by such feigned Recovery, but such Tenants shall also have like remedy to falsifie such Recoveries, as is here provided for the Lessee for Years.

VI. Stat. 34 & 35 H. 8. 20. No feigned Recovery hereafter to be had by Assent of Parties against any Tenant or Tenants in Tail of any Lands, Tenements or Hereditaments, whereof the reversion or remainder at the time of such Recovery had, shall be in the King, shall bind or conclude the Heir in Tail, whether any Condition or Voucher be had in any such feigned Recovery or not; but that after the Death of every such Tenant in Tail, against whom any such Recovery shall be had, the Heirs in Tail may enter, hold and enjoy the Lands, Tenements and Hereditaments so recovered, according to the form of the Gift in Tail, the said Recovery notwithstanding.

VII. And here the Heirs of every such Tenant in Tail, against whom any such Recovery shall be had, shall take no advantage for any recompence in value against the Voucher or his Heirs.

VIII. This Act shall not extend to prejudice the Lessee or Lessees of any such Tenant in Tail made in Writing indented of any Manors, Lands, &c. for twenty one Years, or three Lives, or under, whereupon the accustomed Rent or Rents is or shall be yearly reserved during the same Term or Terms; but the same Lessee or Lessees shall enjoy his or their Term or Terms, according to the Statute of 32 H. 8. 28. (*which see in Leases*) this Act notwithstanding.

IX. Stat. 14 El. 8. All Recoveries had or prosecuted (by Agreement of the Parties, or by Covin) against Tenants by the Courtese, Tenants in Tail after possibility of Issue extinct, for Term of

of Life or Lives, or of Estates determinable upon Life or Lives, or any Lands, Tenements or Hereditaments, whereof such particular Tenant is so seised, or against any other, with Voucher over of any such particular Tenant, or of any having Right or Title to any such particular Estate, shall from henceforth (as against the Reversioners, or them in Remainder, and against their Heirs and Successors) be clearly void.

X. This Act shall not prejudice any Person that shall by good Title recover any Lands, &c. without fraud, by reason of any former Right or Title. Also every such Recovery had by the Assent and Agreement of the Person in Reversion or Remainder, appearing of Record in any of the Queen's Courts, shall be good against the Party so assenting.

Rectory.

I. Stat. 13 & 14 Car. 2. cap. 25. All Conveyances by pretended Delinquents for adhering to the late King, or the King that now is, their Heirs, Executors, Trustees, or others seised jointly or in common with them, or in Reversion or Remainder after them, to Trustees appointed by the long Parliament, for Augmentation of Vicarages and Maintenance of Ministers of Advowsons, Rectories impropriate, Glebe-lands, Annuities, Rents, &c. as part or in full of their Composition for such Delinquency, shall be void from henceforth.

II. And whereas such Trustees redeemed the same at such Rents as were appointed to be the Augmentation or Maintenance aforesaid, since which time many of the Rectories and Lands so conveyed have been sold, and the Redemises assigned by the Owners for benefit of Purchasers, such Purchasers shall pay to the former Owners what was reserved upon those Redemises, who shall have such Remedy for it by Distress or Action of Debt, as the Trustees might have had.

Redemisein.

I. Merton. 3. 20 H. 3. If any be disseised of their Free-hold, and before the Justices in Eyre have recovered Seisin by Assize of *Novel disseisin*, or by confession of the Disseisors, and hath had seisin delivered by the Sheriff, if afterwards the same Disseisors disseise the Plaintiff of the same Free-hold, and be thereof convicted, they shall be imprisoned until the King hath discharged them by Redemption, Recognition of Assize, Judgment, or some other way.

II. This is the form of punishing of such convicted Persons. The Plaintiff shall procure a Writ from the King's Court, directed to the Sheriff and containing the Plaint of Disseisin done upon Disseisin: By this Writ the Sheriff shall be commanded, that he, taking with him the Keepers of the Pleas of the Crown, and other lawful

lawful Knights, shall in proper Person go to the Land or Pasture whereof the Plaintiff was made; where, if they find him disseised again, the Sheriff is to do as is above provided, but if not, the Plaintiff shall be amerced, and the other shall go quit. Howbeit the Sheriff shall not execute any such Plaintiff without the King's special Command.

III. There is the like Law for such as recover their Seisin by Affize of *Mortdancer*, or by Inquests, if they be redisseised by the first Disseisors.

IV. *Parl. 8. 52 H. 3.* Persons imprisoned for Redisseisin, shall not be delivered without the King's special Command, and shall make Fine to the King for their Trespafs: And if the Sheriff deliver any contrary to this Ordinance, he shall be grievously amerced, and yet the Persons so delivered shall be also grievously punished for their Trespafs.

V. *Stat. 2. 26. 13 E. 1.* In Writs of Redisseisin double Damages shall be awarded, and the Redisseisors shall not be replevable by the common Writ.

VI. Those that recover by Default, Reddition, or otherwise, without Recognition of Affizes or Juries, shall have Writs of Redisseisin, as well as those which recover by Affize of *Novel disseisin*, *Mortdancer*, or other Juries, provided for by the Statute of *Merton*.

Relief.

I. *Magna Charta 2.* When Lands holden of the King in Chief by Knights Service descend to an Heir of full Age, the Reliefs are as followeth: For an Earldom, 100 l. for a Barony, 100 Marks, for one whole Knights Fee 100 s. And he that hath less shall give less, according to the old Custom of the Fees.

Rents.

I. *Stat. 32 H. 8. 37.* The Executors or Administrators of Tenants in Fee-simple, in Fee-tail, or for Term of Life, or Rent-Services, Rent-charges, Rent-secks, and Fee-farms, unto whom any such Rent or Fee-farm was due and unpaid at the time of their Death, shall have Action of Debt for all the Arrearages thereof against the Tenant or Tenants that ought to have paid them to their Testator, or against the Executors or Administrators of such Tenant or Tenants, and shall also distrain for the said Arrearages upon the Lands chargeable therewith, so long as they continue in the Seisin or Possession of such Tenant in Demesne, or of any other Person claiming by or from him, in like manner as their Testators might have done: And the said Executors or Administrators shall likewise for the same Distress lawfully make Avowry upon the matter aforesaid.

II. This

II. This Act shall not extend to any Manor, Lordship or Dominion in *Wales*, or the Marches thereof, where the Inhabitants have used time out of mind to pay to every Lord or Owner of such Manors, &c. at their first Entry into the same, any Sum or Sums of Money for the Discharge of all Duties, Forfeitures and Penalties wherewith the Inhabitants were chargeable to any of their said Lords, Ancestors or Predecessors before their such Entry.

III. If any Person hath in Right of his Wife any Estate in Fee-simple, Fee-tail. or for Term of Life, in any such Rents or Fee-farms, and the same happen to be due and unpaid in his Wifes Life, such Husband, after the Death of his Wife, his Executors and Administrators, shall have an Action of Debt for the said Arrearages against the Tenant of the Demesne that ought to have paid the same, his Executors and Administrators, and shall likewise distrain for the same, and make Avowry as he might have done if his Wife were living. The like Power hath Tenant *per auter vie* for Arrearages due and unpaid in the Life-time of *Cestuy que vie*.

Repleader.

I. Stat. 32 H. 8. 30 In all Actions, after issue had, there shall be Judgment given, notwithstanding any mis-pleading, lack of Colour, insufficient pleading, or Jeofail, Mis-continuance, Discontinuance, Mis-conveying of Process, Mis-joining of issue, lack of Warrant of Attorney of the Party against whom the issue shall be tried, or any other Default or Negligence of any of the Parties, their Counsellors or Attornies.

II. Provided, That every Attorney shall deliver, or cause to be delivered his or their sufficient and lawful Warrant of Attorney, to be entred of Record, for every Action or Suit wherein he is named Attorney, or to the Officer or his Deputy ordained for the Receipt and entring thereof, in the same Term when the issue of the said Action is entred of Record, or before, in pain to Forfeit 10*l.* to the King, and to suffer Imprisonment at the discretion of the Justices of the Court where such Action depends.

Replevin of Cattle.

I. Marl. 21. 52 H. 3. If Beasts be taken, and wrongfully with-holden, the Sheriff (upon Complaint thereof) may deliver them without let or gainsaying of him that took them, if they were taken out of Liberties; but if within any Liberties, and the Bailiffs thereof will not deliver them, the Sheriff, upon such Bailiffs default shall cause them to be delivered.

II. West. 2. 2. 13 E. 3. Where, upon Replevins, Lords cannot obtain Justice in Counties and other inferior Courts against their Tenants, when such Lords are attached at their Tenants Suit, a Writ shall be granted them (*viz. a Recordare*) to remove the

B.

Plea

Plea before the Justices, where Justice shall be done them; and the Cause shall be inserted in the Writ, viz. because such a Man distrained in his Fee for Customs and Services to him due. H. III.

III. Here the Avowry shall be upon the Seisin of any Ancestor or Predecessor, since the time that a Writ of *Novel disseisin* hath run.

IV. The Sheriff or Bailiffs shall not only take Pledges of the Plaintiff to prosecute his Suit, but also return the Cattle, in case Return be awarded; and if Pledges be otherwise taken, he shall answer the Lord for the Price of the Beasts, to be recovered by Writ; and if the Bailiff be not able to restore them, his Superior shall do it.

V. If after Return once awarded, the Beasts are again replevied, or as soon as the Return of the Beasts is the second time awarded, the Sheriff shall be commanded by a Judicial Writ to make return thereof to the Distrainer; in which Writ it shall be expressed, that the Sheriff shall not deliver them without a Writ making mention of the Judgment given by the Justices, and such Writ is to issue out of the Rolls of the said Justices: after which if the Plaintiff desire to replevy his Beasts, he shall have a Judicial Writ, (viz. a *Writ of Second Deliverance*) that the Sheriff taking Surety for the Suit, and also of the Beasts to be returned, or their Price, (if Return be awarded) shall deliver the Beasts before returned, and the Distrainer shall be attached to come before the Justices at a certain Day; and if he that replevied make default, or for some other Cause Return of the Distress is awarded, (being now twice replevied) the Distress shall afterwards remain unreplevied.

Receipt.

I. The Statute of Gloucester, 11. 6 E. 1. When a Man leaseth his Tenement in London, and he in Reversion or Remainder catfeth himself to be impleaded by Collusion, and to make the Termer lose his Term, loseth by default, or giveth it up; in this case the Mayor and Bailiffs may enquire by Inquest whether such Plea was moved upon good Right, or by Covin; and if it be found that it was upon good Right, Judgment shall be forthwith given; but if it be found by Fraud, to cause the Termer to lose his Term, the Termer shall enjoy his Term, and the Execution of the Judgment for the Demandant shall be suspended until the Term be expired. In like manner shall it be of Enquiry before the Justices, if the Termer challenge it before the Judgment.

II. Stat. *De Defensione Juris*, 20 E. 1. When any one demandeth Tenements by the Kings Writ, and a Stranger before Judgment comes in by a Collateral Title, and desireth to be received, before his Receipt he shall find sufficient Surety (as the Court will award) to satisfy the Demandant the Value of the Lands so

to be recovered, from the day that he is so received, until final Judgment given to the Demandant.

III. Here, if the Demandant recover, the Defendant shall be grievously amerced; and if he have not whereof, he shall suffer Imprisonment at the Kings pleasure; but if he can prove his Right he shall go quit.

IV. Stat. 13 Ed. 1. 17. If any Tenant for Life, in Dower, by the Law of England, or in Tail after possibility of Issue extinct, be impleaded, and he in the Reversion come into the Court, and pray to be received to defend his Right at the day that the Tenant pleadeth to the Action, or before, he shall be then received to defend his Right; and after such Receipt the business shall be hastened as much as may be by the Law, without any delay whatsoever of either side: And therefore here Days of Grace shall be given by the Discretion of the Judges between the Demandant and the Party so received, and not the Common Day in Plea of Land, unless the Demandant will thereto consent, lest the Demandants be too much delayed, because they must plead to two Adversaries.

V. Howbeit they in Reversion, who so pray to be received, shall find Sureties for the Issues of the Tenements demanded, for the time that the Demandants be delayed. After the Plea determined between the Demandants and Tenants, if the Judgment pass for the Demandant against them in the Reversion, as well where the Receipt is counter-pleaded, as where it is granted.

Residence.

* I. Artic. Cler. 8. 9 E. 2. Such Clerks as attend in the Kings Service, if any offend, shall be corrected by the Ordinaries, as others be; Howbeit, so long as they be employed about the Exchequer, they shall not be bound to keep Residence in their Churches. *To this was added by the Kings Council, The King and his Ancestors, time out of mind have used; that Clerks who are employed in his Service, during the time they are so in his Service, shall not be compelled to keep Residence in their Benefices; and such things as be thought necessary for the King and Common wealth, ought not to be prejudicial to the Church.*

* II. Stat. 21 H. 8. 13. No Spiritual Person shall take to farm (to himself, or to any other for his use) any Lands or other Hereditaments for Life, Years or at Will, in pain to Forfeit 10*l*. for every Month he so continues the same, to be divided betwixt the King and the Prosecutor.

III. This Act shall not extend to any Spiritual Person for taking to farm any Temporalties (during the time of Vacation) of any Archbishopricks, Bishopricks, Abbies, Priories, or Collegiate, Cathedral

Cathedral or Conventual Churches; nor to any such Person who shall tender, or make any traverse upon any Office concerning his Freehold.

IV. No Spiritual Person shall (by himself, or any other for his use) buy, to sell again for Profit, any Cattle, Victual or Merchandize whatsoever, in pain to Forfeit treble the Value thereof, to be divided betwixt the King and the Prosecutor; and every such Bargain shall be void.

V. Howbeit, a Spiritual Person may buy Horses, Mares, Cattle or other Goods, for his necessary Use and Imployment, and in case they happen not fit for his turn, he may sell them again; so as this be done without any Fraud or Covin.

VI. Also Abbots, Priors, Abbesses, Priories, Provosts, Presidents and Masters of Colleges and Hospitals, and all other Spiritual Governors and Governesses of any Houses of Religion, having Lands of the yearly value of eight hundred Marks or under, may use and occupy so much thereof for the Maintenance of their Houses as they or any of their Predecessors have done within an hundred years last past, notwithstanding this Act.

VII. Likewise Spiritual Persons, not having sufficient Glebe or Demesne-Lands in right of their Churches or Houses, may (notwithstanding this Act) for the only Expences of their Houses, and for their Carriages and Journies, take in Farm other Lands, and buy and sell Corn and Cattle for the only Manurance and Pasturage of such Farms, so as it be done for such Purposes only without Fraud or Covin.

VIII. If any Person having a Benefice with Cure of Sou's, being of the yearly value of Eight pound or above, accept another with Cure of Sou's, and be instituted and inducted in Possession of the same, immediately upon such Possession thereof the first Benefice shall be adjudged void; and then it shall be lawful for the Patron thereof to present another, as if the Incumbent had died or resigned, any Licence, Union or other Dispensation to the contrary notwithstanding.

IX. Every Licence, Union, or other Dispensation obtained contrary to this Act shall be void: And none shall obtain (from Rome or elsewhere) any Licence, Union, Toleration or Dispensation to receive any Benefice with Cure, in pain of 20 *l.* to be divided betwixt the King and the Prosecutor.

X. Provided, That every Spiritual Person of the Kings Council may purchase Licence or Dispensation to keep three Benefices with Cure; and the Chaplains of the King, Queen, the Kings Children, Brethren, Sisters, Uncles or Aunts, may so keep each of them two.

XI. Also an Archbishop and Duke may have each of them six Chaplains; a Marquess and Earl five; a Viscount and other Bishops four; the Chancellor, every Baron and Knight of the Garter three; every Dutches, Marchioness, Countess and Baroness,

being Widows, two; the Treasurer and Comptroller of the Kings House, the Kings Secretary and Dean of his Chapel, the Kings Almoner, and Master of the Rolls, each of them two; and the Chief Justice of the Kings Bench, and Warden of the Cinque-ports, each of them one; and each of the aforesaid Chaplains may purchase Licence or Dispensation to keep two Benefices.

XII. Likewise the Brethren and Sons of Temporal Lords (born in Wedlock) may purchase such Licence or Dispensation to keep as many Benefices with Cure, as the Chaplains of a Duke or Archbishop; and the Brethren or Sons (born in Wedlock) of every Knight may keep two.

XIII. Provided, That the aforesaid Chaplain shall exhibit (where need shall be) Letters under the Sign or Seal of the King, or other their Lord and Master, testifying whose Chaplains they be, or else not to enjoy such Plurality of Benefices.

XIV. Also Doctors and Batchelors of Divinity, Doctors of Law, and Batchelors of Law Canon, admitted to their Degrees by either of the Universities of this Realm, and not by Grace only, may purchase such Licence to keep two Benefices with Cure.

XV. And because Archbishops must use (at Consecration of Bishops) Eight Chaplains, and Bishops (at giving Orders and Consecration of Churches) six; every of them may have two Chaplains over and above the number limited.

XVI. Every Spiritual Person that is advanced (by colour of this Act) to keep more Benefices with Cure than is above limited, shall incur the Penalty above provided by this Act.

XVII. Every Spiritual Person promoted to any Archdeaconry, Deanry, or Dignity in a Monastery or Cathedral Church, or other Church, Conventual or Collegiate, or being beneficed with any Parsonage or Vicarage, shall be personally resident and abiding upon his said Dignity, Prebend, or Benefice, or one of them at least, in pain to forfeit, for not being so resident by the space of a Month together, or of two Months (to be accounted at several times) in any one Year, the Sum of 10 *l.* to be divided betwixt the King and the Prosecutor.

XVIII. None shall obtain (from *Rome* or elsewhere) any Licence or Dispensation to be Non-resident, in pain of 20 *l.* to be forfeited, as aforesaid.

XIX. Howbeit, this Act shall not extend to any Spiritual Person being in the Kings Service beyond Sea, or upon a Pilgrimage beyond Sea, during the time that he shall be so in the Kings Service, or upon the said Pilgrimage; nor to any Scholar abiding for Study (without Fraud) at any University within this Realm, nor to any of the King or Queens Chaplains in Ordinary; neither yet to any of the other aforesaid Chaplains, which shall daily attend to their Lords and Masters Households, so long as they so attend, without Fraud; nor to the Master of the Rolls, Dean of the Arches, the Chancellor or Commissary of any Archbishop or Bishop,

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the twelve Masters of the Chancery, or the twelve Advocates of the Arches, (being Clergy-men) so long as they execute their Offices or Places; nor to any Spiritual Person compelled by the Injunction of the Lord Chancellor or the Kings Council, to daily appearance to answer the Law, so long as shall be so enjoined.

XX. Also a Spiritual Person (being the Kings Chaplain) may accept (of the Kings Gift) any Benefices to what number soever, without the incurring the Penalty of this Act; and the King may also licence his Chaplains for Non-residence upon their Benefices, notwithstanding this Act.

XXI. No Spiritual Person shall take in Farm any Parsonage or Vicarage, in pain to forfeit 40 s. for every Week that he or any other (for his Use) so occupies the same, and also ten times the Value of the Profit or Rent that he makes thereof: both which Forfeitures are to be divided betwixt the King and the Prosecutor.

XXII. Provided, That no Deanty, Archdeaconry, Chancellorship, Treasurership, Chantership, or Prebend in any Cathedral or Collegiate Church or Parsonage that hath a Vicar endowed, nor any Benefice perpetually appropriate, shall be taken to be a Benefice with Cure of Souls.

XXIII. No Spiritual Person, or any other for his Use, shall keep any Tan-house or Brew-house, in pain to forfeit for every Month so using the same 10 l. to be divided as aforesaid: Howbeit, he may here have a Brew-house for his own private use.

XXIV. Every Dutches, Marchioness, Countess or Baroness, Widows, shall retain their Privileges concerning Chaplains, notwithstanding their Intermariages with other Persons of a lower Degree.

XXV. All Spiritual Persons having Possessions in Right of their Houses above the Value of Eight hundred Marks, may keep so much thereof as shall be necessary for the Maintenance of their Households, notwithstanding this Act, or may take a Dwelling-house with Orchards and Gardens for their Dwelling, so as (by colour thereof) they take not liberty to be Non-resident.

XXVI. Stat. 25 H. 8. 16. Every Judge of the Kings Bench and Common Pleas, the Chancellor and Chief Baron of the Exchequer, and the Kings Attorney and Solicitor General, may each of them have one Chaplain to be attendant upon his Person, having one Benefice with Cure, who may be Non-resident upon the same.

XXVII. Stat. 28 H. 8. 12. Every Spiritual Person above the Age of Forty years, being beneficed, (the Chancellor, Vice-Chancellor, Commissary, Rulers of Colleges or Halls, Doctors of the Chair, and Readers of Divinity in either of the Universities (only excepted) shall be resident upon one of their Benefices, according to the Statute of 21 H. 8. 13. upon the pain therein provided for Non-residence.

XXVIII. Also every beneficed Person under the Age of forty Years abiding in either of the Universities, shall not enjoy the privilege of Non-residence provided by the said Statute of 21 H. 8. unless he be present at ordinary Lectures, both in the House and Schools, and in proper person perform his Exercises, according to the Statutes of the University where he so abides.

XXIX. This Statute shall not extend to any Reader of any publick Lecture in Divinity, Law-Civil, Physick, Philosophy, Humanity, or any of the Liberal Sciences; nor to Interpreters, or Teachers of the *Hebrew*, *Chaldee* or *Greek* Tongues in either of the Universities; nor yet to any Person who shall repair thither to proceed Doctor in Divinity, Law or Physick, for the time of their Proceedings there, according to the Statutes of the said Universities.

XXX. Stat. 33 H. 8. 28. The Chancellors of the Courts of the Dutchy of *Lancaster*, Augmentations, and First-fruits, the Master of the Wards, every of the Kings Surveyors General, the Treasurers of the Kings Chamber, and the said Court of Augmentations, and the Groom of the Kings Stole, may each of them retain one Chaplain, to be Attendant to his Person, having one Benefice with Cure, who may be Non-resident upon the same. Howbeit every such Chaplain shall at least twice every year repair to his Benefice and abide there Eight days at every such time to visit and instruct his Cure, in pain to Forfeit every time so failing 40 s. to be divided betwixt the King and the Prosecutors.

Restitution.

I. Stat. 12 H. 8. 12. Where a Felon robbeth or taketh away the Money or Goods of any, and is thereof found guilty, or otherwise attainted by the Evidence given by the Party himself, or others by his procurement, in this Case the Justices of Goal-delivery, or other Justices before whom he is found guilty or attainted, have power to award a Writ of Restitution for the Money or Goods so robbed or taken, in like manner as if the Felon were attainted at the Suit of the Party in Appeal.

Return of Sheriffs and Bailiffs.

I. Stat. 2. 39. 13 E. 1. Such as do fear the ill Execution of Writs by the Sheriff, shall deliver their Writs unto him in open County, or in the Rere-County, and shall take of him or his Under-Sheriff a Bill, containing the Names of the Demandants and Tenants mentioned in the Writ, and require the Sheriff or Under-Sheriff to put the Seal thereupon; and mention shall be therein also made of the day of the Deliverance thereof; and if the Sheriff or Under-Sheriff refuse to do it, the Testimony of Knights,
and

and other credible Persons there present, that put their Seals to such Bill, shall be taken.

II. If the Sheriff will not return Writs delivered unto him, upon Complaint thereof to the Justices, a Judicial Writ shall issue to the Justices of Assize, to enquire by such as were so present, whether they knew of the deliverance thereof, and an Inquest shall be thereupon returned: And if it be found by them, that the Writ was delivered, Damages shall be awarded to the Plaintiff or Demandant, having respect to the quality and quantity of the Action, and the Peril he might incur by reason of such delay. And this is to prevent the return of the Sheriff by *Tarde*.

III. And for that the Sheriff sometime returns a *Mandavi Ballivo* of a Liberty, where there is none such, the Treasurer of the Exchequer shall deliver to the Justices in a Roll, all Liberties (in every County) that have Return of Writs; and if the Sheriff return a *Mandavi Ballivo* of a Liberty not contained in the said Roll, he shall be punished as a Dishearer of the King and his Crown. And if he return a *Mandavi Ballivo* of a Liberty that hath Return, he shall have a *Non omittas propter aliquam Libertatem*, to do it, and shall be commanded to warn the Bailiffs thereof, to be ready at a day to be named in the Writ, to answer why they did not execute the Kings Precept: When, if they come and acquit themselves, that no Return was made to them, the Sheriff shall be condemned to the Lord of the Liberty, and also to render Damages to the Party grieved by such delay: But if the Bailiffs appear not, or do not acquit themselves, as aforesaid, in every Judicial Writ (so long as the Plea hangeth) the Sheriff shall have a *Non omittas*, &c.

IV. As concerning the Sheriffs Return of Issues, if the Plaintiff demand *Oyer* of the Sheriffs Return, it shall be granted him; and if he aver that the Sheriff might have returned greater Issues unto the King, he shall have a Writ Judicial unto the Justices of Assize, to enquire, in the presence of the Sheriff, (if he will be there) what Issues the Sheriff might have returned from the *Tesse* to the Return of the Writ: And when the Inquest is returned, if he have not before answered the whole, he shall be charged with the Overplus by Estreats out of the Exchequer, and beside shall be grievously amerced for the Concealment. And here Rents, Corn in the Grange, and all Moveables (except Horse, Harness and Household-stuff) are comprised under the Name of *Issues*.

V. The King commands that the Sheriff shall be punished by Justices once or twice (if need be) for such false Returns: Howbeit, with the third Offence none shall meddle but the King.

VI. The Sheriff must beware of returning a Rescue, for such Answers tend much to the Dishonour of the King: But when the Bailiffs resist such Resistance, forthwith the Sheriff, (all other Business laid aside) taking with him the *Posse Comitatus*, shall go

in proper Person to do Execution: And if he find his Under-Bailiffs false, he shall punish them by Imprisonment; but if not, he shall imprison the Resisters, from whence they shall not be enlarged without the Kings Special Command.

VII. Also in case of Resistance, the Sheriff shall certify the Court of the Names of the Resisters, their Aiders, Consenters, Commanders and Favourers, and by a Writ Judicial they shall be attached by their Bodies to appear in Court; where, if they be convicted, they shall be punished at the Kings Pleasure. *See the Statute confirmed in Art. super Chartas, 16. 28 E. 1.*

VIII. Stat. 12 E. 2. 5. An Indenture shall be made between the Sheriff and Bailiff of a Franchise, under their Names, of every Return delivered by the Bailiff to the Sheriff; and if the Sheriff change the Return so delivered, and be thereof convicted, he shall be punished by the King, and yield to the Lord of the Liberty, and to the Party grieved double Damages.

IX. Sheriffs and Bailiffs shall set their Names to their Returns, in pain to be grievously amerced to the Kings Use.

X. Stat. 2 E. 3. 5. At what Time and Place in the County a Man delivereth a Writ to the Sheriff or Under-Sheriff, they shall receive the same, and make him a Bill according to the Statute of Westm. 2. 39. without taking any thing for the same: And if they refuse to make such a Bill, others there present shall set to their Seals: And if the Sheriff or Under-Sheriff return not such Writs, they shall be punished according to the said Statute. Also the said Justices of Assize shall have Power to enquire thereof, and to award Damages, having respect to the Delay, and likewise to the Loss and Damage that might happen.

Richmond.

I. Stat. 26 H. 8. 15. A Statute shewing what Duties Spiritual Persons Beneficed in the Archdeaconry of Richmond, shall take after the Decease of any Person there.

Rye and Winchelsey.

I. Stat. 2 E. 3. 6. 30. An Act was made against Ballast to be cast into the Channel there.

Right.

I. Magna Charta, 24. 9 H. 3. The Writ called *Præcipe in Capite*, shall be granted to no Man upon any Freehold, whereby any Freeman may lose his Court.

 Riots,

Riots, Routs, and unlawful Assemblies.

I. Stat. 27 R. 2. 8. The Sheriffs, and all other the King's Officers shall suppress Rioters, and imprison them, and all others offending against the Peace.

II. Stat. 13 H. 4. 7. The Justices of Peace, or two of them (at least) together with the Sheriff or Under-Sheriff, shall by the Power of the County suppress Riots, Routs and unlawful Assemblies, arrest the Offenders, and record what shall be done: By which Record of the said Justices and Sheriff, or Under-Sheriff, the Offenders shall stand convict, as by the Statute of 15 R. 2. 2. in case of forcible Entries (*which see in Force.*) And if the Offenders be departed, the said Justices and Sheriff, or Under-Sheriff, shall within a Month after make enquiry thereof, and hear and determine the same according to Law.

III. If upon such Enquiry the Truth cannot be discovered in manner aforesaid, then shall the said Officers within one Month after such Enquiry certify the Fault, together with the Circumstances thereof, unto the King and his Council: Which Certificate of theirs shall be in the nature of a Presentment by Twelve; whereupon the Offenders shall be brought to answer; and those that be found guilty shall be punished at the Discretion of the King and his Council.

IV. If the Offenders traverse the said Certificate, then that, together with the Traverse, shall be sent into the King's Bench, there to be tried.

V. If the Offenders upon the first Precept do not appear before the Council, or in the King's Bench, a second Precept shall issue forth; upon which, if they cannot be found, or within three Weeks after Proclamation made against them in the next County-Court, after the delivery of the second Precept, they do not make their Appearance before the Council, in the King's Bench, or in the Chancery, (in Vacation-time) upon Return of the said Proclamation, they shall stand convict and attainted of the Offence committed.

VI. Justices of the Peace dwelling near the Place where such Offences shall be committed, and Justices of Assize for the time they shall be in their Sessions, (in case any be then committed) shall do Execution of this Act, in pain of 100*l.*

VII. Stat. 2 H. 5. 8. If default be found in the Justices of Peace or Assize, or in the Sheriff, or Under-Sheriff, touching the Execution of 13 H. 4. 7. at the instance of the Party grieved, the King's Commission shall go out to enquire as well of the Truth of the Case and Original Matter, as of the Defaults aforesaid, directed to sufficient Men of the County, at the Discretion of the Lord Chancellor; which Commissioners shall presently return into the Chancery the Inquests and Matters before them found.

VIII. Here

VIII. Here, during the Sheriffs, or Under-Sheriffs remaining in his Office, the Coroners shall impanel the Jury, each of them having Lands worth 10 *l. per Annum* at least; and upon each of which for making default, the Coroners shall return Issues, viz. for the first Day 20 *s.* for the second 40 *s.* for the third 5 *l.* and for every Day after double: And all this the Coroner shall do in pain of 40 *l.* But in case the Sheriff or Under-Sheriff, reputed in default, be discharged of their Office, the new Sheriff shall do that which the Coroners are above enjoined to do, and shall incur like Penalty, if they therein make default.

IX. The Lord Chancellor upon knowledge of any such Offence, shall send the King's Writ to the Justices of Peace, Sheriff, and Under-Sheriff of the same County, to put the said Statute of 13 *H. 4. 7.* in Execution, upon the pain therein contained. But altho' no such Writ be sent, yet shall they not be excused of the said pain, if they make no Execution of the same Statute.

X. A Riot, &c. shall be expressed and enquired of at the King's Charge, which the Sheriff shall disburse by Indenture betwixt the Justices of Peace and him, and shall be answered him again upon his Account in the Exchequer.

XI. Persons guilty of heinous Riots shall suffer one whole years Imprisonment without Bail; but petty Rioters shall be imprisoned as shall seem best to the King and his Council: And greater Fines shall be set upon Rioters than in time past, in Aid and Supportation of the Justices, and other Officers in that behalf.

XII. All the King's Leige People, upon warning, shall be assistant to the Justices, Commissioners, Sheriff, and Under-Sheriff aforesaid, upon pain of Imprisonment, and to make Fine and Ransom to the King.

XIII. Bailiffs of Franchises shall cause sufficient Men to be impanelled upon such Inquests, if any such be found within their Liberties. And the Ordinances and Pains aforesaid shall extend to Corporations and Liberties, where they have Justices of the Peace within themselves.

XIV. Stat. 2 *H. 5. 9.* Upon a Bill of Complaint for any Riot, &c. preferred by the Party grieved, to the Lord Chancellor for the time being, together with a Suggestion testifying the same under the Seals of two Justices of Peace, and the Sheriff of the County, the said Lord Chancellor shall send forth a *Capias*, returnable in the Chancery at a certain Day, by which, if the Parties offending, or any of them be taken, they shall be committed to Ward, or let to Mainprise, at the Discretion of the said Lord Chancellor, and shall be proceeded against as the Law requireth: But if the Sheriff return *Non est inventus*, a Writ of Proclamation (to be proclaimed two County Court days) shall go out, returnable in the King's Bench at a certain Day, before which, if they render not themselves, they shall be adjudged Convict, and attainted of the Offence suggested.

XV. If

XV. If the Offence be committed within the County Palatine of *Lancaster*, or other Franchise where there is a Chancellor and Seal, the Lord Chancellor of *England* shall send a Writ to the said Chancellor, commanding him to make such Execution as in this Act is comprised.

XVI. Stat. 8 H. 6. 14. Two Justices of Peace of the Counties where Riots are supposed to be committed, shall testify that the common Fame runneth in the same Counties of the same Riots, before *Capias* shall be awarded according to the Statute of 2 H. 5. 9.

XVII. If the Offence be committed within a Liberty where there is a Chancellor and a Seal, upon Information of the Riot, &c. from a Justice of Peace and Sheriff there, the said Chancellor hath Power to award Writs of *Capias*, and Proclamation, as the Chancellor of *England* hath.

XVIII. Stat. 19 H. 7. 13. If any Riot, &c. be committed, the Sheriff upon a Precept directed unto him, shall return twenty four Persons, whereof one shall have Freehold within the same County worth 20 s. *per Annum*, or Copyhold worth 26 s. 8 d. *per Annum*, or Copyhold and Freehold together worth 26 s. 8 d. *per Annum*, for to enquire of the said Riot, &c. and shall return Issues upon every Juror making default, *viz.* for the first Day 20 s. and for the second 40 s. And all this the Sheriff shall do in pain of 20 l.

XIX. If the said Riot, &c. be found by reason of any Maintenance or Embracery of the Jurors, then shall the Justices and Sheriff, or Under-Sheriff, (besides the Certificate they are to make according to the Statute of 13 H. 4. 7.) certify the Names of such Maintainers and Embracers, together with their Misdemeanors, in pain to forfeit 20 l. apiece; which Certificate shall have like force of proving the Offence as a Verdict of twelve Men: And then such Maintainers and Embracers shall forfeit 20 l. apiece, and remain in Prison at the Discretion of the Justices.

 Robberies.

I. Stat. West. 1. 9. 3 E. 1. All Persons shall be ready (at the Summons of the Sheriff, and Cry of the Country) to pursue and arrest Felons in pain (after Attainder thereof) to make Fine to the King.

II. If default be in the Lord of a Franchise, the King shall seize his Franchise; but if in his Bailiff, the Bailiff shall be imprisoned for a Year, and make Fine to the King; and if he have not whereof, he shall suffer two Years Imprisonment.

III. If the Sheriff, Coroner, or other Bailiff, for any Reward, Fear or Favour, Conceal, Consent to, or Procure to Conceal, any Felonies done within their Liberties, or will not attach or arrest them, (where they may) and be thereof attainted, they shall suffer

for one Years Imprisonment, and be grievously fined to the King, if they have whereof ; but if not, they shall suffer three Years Imprisonment.

IV. *Stat. of Winchester, cap. 1. 13. E. 1.* Immediately upon Robberies and Felonies committed, fresh Suit shall be made from Town to Town, and from County to County.

V. *Cap. 2.* When need requires, Inquests shall be made in Towns by the Lord there, and then in the Hundred, after in the County, and sometime in two, three or four Counties, when the Felony is committed in the Division of the Counties. Here, if the County will, not answer the Bodies of the Offenders, the People there shall be answerable for all the Robberies done, and also for the Damages : So as the whole Hundred where the Robberies are done, (together with the Liberties therein) shall be answerable for the Robberies there committed : And if they be done in the Division of two Hundreds, both Hundreds together, with their Franchises, shall answer them. And here, the Country shall have but forty Days given them to agree for the Robbery or Offence, otherwise they are to answer for the Bodies of such Offenders.

VI. *Cap. 4.* In great Towns walled, the Gates shall be shut from Sun-set till Sun-rising ; and none shall lodge without the Town from Nine a Clock until Day, unless his Host will answer for him : For which purpose the Bailiffs of the Town shall make search once every Fortnight, at least ; and if they find any suspicious Person lodged without the Town against the Peace, they shall do Right therein. Again, betwixt *Ascension-Day* and *Michaelmas*, Watch shall be kept all Night, from Sun-set until Sun-rising, viz. in a City with six Men at every Gate, in a Borough with twelve Men, and in every Town with six or four Men, according to the number of the Inhabitants there. If any Stranger pass by them, he shall be arrested until the Morning ; when, if they have no Suspicion of him, they shall let him go quit : But if otherwise, they shall deliver him to the Sheriff to be safely kept, until he be duly acquitted. And here, if he will not obey the Arrest, they shall levy Hue and Cry upon him ; and for such Arrest of a Stranger, none shall be punished.

VII. *Cap. 5.* Highways leading from Market to Market, shall be so enlarged, that there shall not be any Dike, Tree or Bush, within two hundred Foot thereof : Howbeit, this Act shall not extend to great Trees. Here, if by Default of the Lord, in not removing his Dike, Under-wood or Bushes, any Robbery be here committed, he shall be answerable for the same ; and if there be Murder committed, the Lord shall make Fine at the King's Will. And in case the Lord be not able to fell the Under-woods, the Country shall help him. The King's Demesnelands and Forests shall be also subject to this Law. And if a Park

Park be set too near the High-way, the Pale thereof shall be removed to the distance aforesaid.

VIII. *Cap. 6. pars. inde.* Two Constables shall be chosen in every Hundred and Franchise, who shall present to the Justices assigned such Defaults as they shall find in the Country concerning Suits, Watches and High-ways; and also such Persons as lodge Strangers in Uplandish Towns, for whom they shall not answer. And the Justices assigned shall present them at the Parliament to the King, who will provide Remedy therein. Also Sheriffs and Bailiffs of Franchises are straightly commanded to follow the Cry with the Country, and to keep Horse and Arms to perform the same, in pain to be presented by the Constables to the Justices assigned, and by them to the King, as aforesaid.

IX. *Artic. super Chart. 17. 28 E. 1.* The Statute of *Westminster* shall be again sent into every County to be read and published four times in the Year, and to be kept as strictly as the great Charter, upon the Pains therein limited. And for the better observance thereof, the Knights assigned in the Counties to redress things done against the great Charter shall be likewise charged with this, and have Warrant for the same accordingly.

X. *Stat. 5 Ed. 3. 14.* If any have Suspicion of Night-walkers, or other suspicious Persons (*then called Robertsmen, Wasters or Draw-latches*) by Day or Night, they shall be presently arrested by the Constables: And if it be in a Franchise, they shall be delivered to the Bailiffs; but if in a Guildable, then to the Sheriff; and shall be kept in Prison till the coming of the Justices to deliver the Goal: And in the mean time the Sheriff or Bailiff shall enquire of such Arrests, and return their Inquests before the Justices at their coming together, with the cause of their taking; whereupon the Justices shall proceed to their deliverance according to Law. And here, if the Sheriff or Bailiff neglect to enquire, they shall be amerced, and nevertheless the Justices shall make Enquiry, and proceed to the deliverance.

XI. *Stat. 28 E. 3. 11.* The Statute of *Winchester*, *cap. 1. and 2. 13 E. 1.* is confirmed, *being in a manner the same with that word for word.*

XII. *Stat. 7 R. 2. cap. 6.* The Statute of *Winchester* is again confirmed, and it shall be proclaimed four times a Year by the Sheriff himself in person in every Hundred, and in every Market by the Bailiffs thereof.

XIII. *Stat. 27 El. 13.* The Hundred where fresh Suit shall cease, shall answer half the Damages to the Hundred wherein the Felony shall be committed, to be recovered in any Court at *Westminster*, in the name of the Clerk of the Peace of the County wherein the Felony was committed: And here, the Death or Change of the Clerk of the Peace shall not abate the Suit.

XIV. When in this case Damages are recovered against one, or some few Inhabitants of the Hundred, and the rest refuse to contribute

contribute therunto, two Justices of the Peace, (1 *Quor.*) dwelling within, or near the same Hundred, shall for the levying thereof set a Tax upon every Parish within that Hundred, according to which the Constables and Headboroughs of every Town shall tax the particular Inhabitants, and levy the Money upon them by Distress and Sale of Goods, and deliver the Money levied to the said Justices, or some of them.

XV. No Hundred shall be chargeable, when any one of the Malefactors shall be apprehended, or when the Action is not prosecuted within one Year after the Robbery committed.

XVI. No Hue and Cry shall be deemed legal, unless the Pursuit be both by Horse and Foot.

XVII. No Person robbed shall maintain an Action in this Case, unless with all convenient speed he makes his Robbery known to some near Town, Village or Hamlet, and within ten days before the Action brought, make Oath before a Justice of Peace, dwelling within, or near the Hundred where the Robbery was committed, whether he know the Parties that robbed him, or any of them; and if he know, he shall enter into sufficient Bond before the same Justice, to prosecute the Person or Persons so by him known, by Indictment, or otherwise, according to the Law.

XVIII. Stat. 39 *El.* 25. A Remedy for the Inhabitants of the Hundred of *Henbury*, in the County of *Berks*, for recovery of such Sums of Money as shall be gained from them by force of the Statute of 22 *El.* 11.

XIX. Stat. 13 & 14 *Car. 2. cap. 22.* From the Feast of St. Michael the Archangel, 1662. for five Years, the Justices of Peace of *Northumberland* and *Cumberland*, at any General Sessions of the Peace, may make an Order for charging the Inhabitants for the securing the said Counties from the Spoil and Rapine of disorderly and lewd Persons called *Moss-Troopers*.

XX. *Northumberland* shall not be charged with above 500 *l.* nor *Cumberland* with above 200 *l.* in the Year: And for this end, the said Justices may appoint from time to time, any Person to have the Command of a certain Number of Men, not exceeding thirty in *Northumberland*, and twelve in *Cumberland*, to search out, and bring to Trial the said Malefactors. The said Justices may issue their Warrants to the several Constables, and other Officers, to levy the said Sums by Distress and Sale of Goods, and they, or any of them, may examine Complaints against Collectors, or other Persons failing to give Obedience to this Act, or acting in Disturbance thereof; and bind such Persons over to the next Quarter-Sessions.

XXI. The said Justices may appoint a Treasurer to receive the Money from the Collectors, and pay it over according to their Orders, and may agree with those yearly, that they employ in the said Service, and take Security of them for the faithful Performance thereof.

XXII. Per-

XXII. Persons employed in the Border-Service, that shall wilfully neglect to apprehend, or bring to Trial the said Moss-Troopers, shall be disabled to manage the said Employment, and be fined and imprisoned by the Justices of Peace at their General Sessions.

XXIII. The Justices may lessen the Charge if they see cause. This Act shall continue five Years, and no longer. The Statutes in 4 Jac. 1. and 7 Jac. 1. shall be revived and put in Execution. Continued per Stat. 7 & 8 W. 3. for five Years, &c.

XXIV. Stat. 18 Car. 2. cap. 3. The Act of 14 Car. 2. cap. 22. shall continue seven Years from the Expiration thereof.

XXV. Great, known and notorious Thieves and Spoil-takers in the said Counties, during the Continuance of this Act, shall lose the Benefit of their Clergy; or otherwise, the Justices of Assize, Oyer and Terminer, or Goal-delivery, before whom such Offenders shall be convicted, may transport them into any of the King's Dominions in America, not to return. Continued per Stat. 7 & 8 W. 3. for five Years, &c.

XXVI. Stat. 29 & 30 Car. 2. cap. 2. The two Acts of 14 Car. 2. cap. 22. and 18 Car. 2. cap. 2. shall continue for seven Years, and from thence to the end of the first Session of the next Parliament.

XXVII. The said Justices shall at their Quarter-Sessions take security of such as they employ in the said Service, to answer the Damages sustained by their default, within four Months after proof thereof made by Oath of one Witness, at the next Quarter-Sessions, so as the Goods stolen be entred in one of the Books to be kept for that purpose; within forty eight Hours after they shall be stolen: And Books shall be kept for that end in every Market-Town of the said Counties, and at such other Places, and by such Persons as the said Justices shall order.

XXVIII. The said Justices shall yearly, or every two Years at farthest, in open Court, appoint Persons to be employed in the said Service.

XXIX. Every Person so employed, or as Treasurer for the said Service, shall receive the Sacrament of the Lord's Supper in some publick Church upon some Sunday, within three Months after they shall enter on such Employment, and deliver a Certificate thereof to the next Quarter-Sessions, and take the Oaths of Allegiance and Supremacy, and make and subscribe the Declaration appointed by 25 Car. 2. cap. 3. Continued per Stat. 7 & 8 W. 3. for five Years, &c.

XXX. Stat. 1 Jac. 2. cap. 14. The three Acts last above-mentioned shall continue for the space of eleven Years, and from thence to the end of the first Session of the next Parliament. Continued per Stat. 7 & 8 W. 3. for five Years. Continued per Stat. 12 & 13 W. 3. cap. 6. for eleven Years, and to the end of the first Session of the next Parliament, and the said Acts declared to be publick Acts.

 Rome.

I. Stat. 25 H. 8. 12. The Convocation shall be assembled by the King's Writs, and shall not enact any Constitutions or Ordinances without the King's Assent.

II. No Canons shall be executed, which be repugnant to the King's Prerogative, or the Customs, Laws, or Statutes of this Realm.

III. There shall be no Appeals to *Rome*, but from henceforth they shall be according to the Statute of 24 H. 8. 12. *Which see in Appeals to Rome.*

IV. Appeals from the Courts of Archbishops of this Realm, shall be to the King in Chancery, out of which shall thereupon issue out a Commission under the Great Seal, to certain Persons to be named by the King, who shall thereby have Power to hear, and definitely to determine all such Appeals, and the Causes concerning the same, and from whose Decree or Sentence therein there shall be no farther Appeal.

V. If any sue for an Appeal to *Rome*, he shall incur a *Pramunire*. But this is made Treason by 13 Eliz. 2. *which see in Crown.*

VI. Appeals from Places exempt, which were before the See of *Rome*, shall be henceforth into the Chancery, and shall be determined before the Commissioners, as aforesaid.

VII. Provided, That all Canons, Constitutions, Ordinances and Synodals Provincial, not repugnant to the King's Prerogative, nor to the Customs, Laws or Statutes of this Kingdom, shall be still used and executed, notwithstanding this Act.

VIII. Stat. 25 H. 8. 20. No Man shall be presented to the See of *Rome* for the Dignity of an Archbishop or Bishop, neither shall Annates or First-fruits be paid to the same See.

IX. Concerning the Election of the Archbishops and Bishops, the King may send to the Prior and Convent, or Dean and Chapter of the place which shall be void, his Letters Missive, containing his *Congé d'essire*, or Licence to elect the Person named in the said Letters Missive; which Person they are to chuse for their Archbishop or Bishop, and none other.

X. In case they fail to make Election accordingly, the King shall nominate such an Archbishop or Bishop, by his Letters Patents: And if it be a Bishop, he shall present him to the Archbishop, or (in case the See be then void) to any other Archbishop within his Dominion; but if it be an Archbishop, then to an Archbishop and two other Bishops, or else to four other Bishops to be nominated by the King.

XI. When any Archbishop or Bishop is elected or presented, as aforesaid, they are in due form to be invested and consecrated: viz. a Bishop by the Archbishop of that Province, or (in case of Vacation) by any other within the King's Dominion; and an Archbishop

Bishop, by some other Archbishop, and two Bishops, or else by four Bishops, without suing for any Bulls, Letters, or other things from the See of *Rome* for the same. And such Archbishop or Bishop, betwixt his Election and Consecration, shall be called, *The Lord Elect* of such a Dignity.

XII. Such Election or Presentment of an Archbishop or Bishop shall be lawful, and make them capable to do and execute all things that concern the said Dignities.

XIII. If the Prior and Convent, or the Dean and Chapter within twenty Days after the Receipt of the King's *Conge d'Es-lire* do not proceed to Election, and certifie the same to the King; or if the Archbishop or Bishops, unto whom the King presents any such Person to be invested and consecrated, as aforesaid, do not perform the same accordingly, within twenty Days after such Presentment; or if any Person or Persons do admit, obey or execute any Censures, Excommunications, Interdictions, Inhibitions, or any other Process or Act, in Derogation of this Act; that then all and every Person and Persons offending, shall incur a *Pramunire*.

XIV. Stat. 25 H. 8. 21. No Imposition shall be paid to the Bishop or See of *Rome*, neither shall any Person sue for any Dispensation or Licence to the Bishop of *Rome*.

XV. The Archbishop of *Canterbury* may grant Dispensations to the King, and likewise Licences to all others, of things formerly used to be licensed: Howbeit, of Causes not used to be licensed no Dispensations shall be granted, without the Approbation of the King and his Council.

XVI. Here Licences of things whereof the Tax did heretofore extend (at *Rome*) to 4 *l.* shall be also confirmed by the Kings Great Seal, and likewise enrolled in Chancery by a Clerk thereto appointed; but all others may be granted by the Archbishop without such Confirmation, unless the Party desire to have it enrolled, and then the Fee for the Seal shall be 5 *s.* and not above: And all Acts done by such Licences shall be good in Law.

XVII. All Children procreated after Marriage, to be had or done by such Licences or Dispensation, shall in all Courts be admitted legitimate and inheritable.

XVIII. There shall be a Clerk assigned by the Archbishop to Register Dispensations, and another by the King to Enrol Confirmations.

XIX. There shall be two Books made wherein the Taxes of Dispensation shall be written, whereof one shall remain with the said Register of the Dispensations, and the other with the said Clerk of the Confirmations.

XX. None shall pay for Dispensations greater Taxes than shall be set down in the said Books; and if any Officer takes more, he shall forfeit ten times so much, to be divided betwixt the King and the Prosecutor: Howbeit, where they are arbitrary, the Archbishop

and the Lord Chancellor and Keeper shall rate them: And here also is set down how the Money received shall be divided. *For which see the Statute at large.*

XXI. This Act shall not inhibit the Archbishop of *York*, nor other Bishops, to dispense, as they were wont to do by the Common Law and Custom of this Realm.

XXII. During the Vacation of the See of *Canterbury*, the Guardian of the Spiritualities shall grant Dispensations. Here is also a Remedy provided, where the Archbishop or Guardian refuse to grant Dispensations, *viz.* by a Commission from the King to empower two other Prelates to perform the same. *For which see the Statute at large.*

XXIII. All Religious Houses heretofore exempt from the Visitation of the Archbishop shall remain so, notwithstanding this Act, and shall be under Visitation of the King by Commission under the Great Seal; so as the Pope's Power shall be quite excluded from all such Visitations; neither shall any Religious Persons from henceforth depart this Realm for any Visitation, Congregation or Assembly whatsoever, but all such Meetings shall be hereafter within the King's Dominions.

XXIV. Howbeit, this Act, nor any Licence or Dispensation to be granted thereby, shall derogate from the Statute of 21 H. 8. 13. touching Pluralities of Benefices or Non-residence.

XXV. Whosoever sues for any Licence, Dispensation, &c. to the See of *Rome*, or obeys any Process from thence, shall incur a *Premunire*. *But this is made Treason by 13 El. 2.*

XXVI. Grants and Confirmations of Liberties obtained from the See of *Rome* to any Abbies, or other Religious Houses, shall be of the same effect as they were before this Act.

XXVII. Abbies, nor other place exempt, shall pay any Pensions to the See of *Rome*, nor accept any Dispensation or Confirmation from thence, nor take any Oath to the Bishop thereof; and where no such Confirmation was requisite, they shall still remain as before, notwithstanding this Act.

XXVIII. Dispensations obtained at *Rome* before the Twelfth of *March* 1533. shall remain of the force that they had before this Act.

XXIX. The King with the Advice of his Council, may reform the manner of Indulgences.

Safe Conduct.

I. Stat. **I**N all Safe Conducts the Name of them, of the Ship, 15 H. 6. 3. and of the Master, and the number of the Mariners, together with the Portage of the Ship, shall be expressed.

II. Stat.

II. Stat. 18 H. 6. 8. Goods may be loaded into the Ships of the King's Enemies, so as the Merchant hath an Authentick Safe Conduct for them: otherwise they may be made Prize by any that can take them.

III. Stat. 20 H. 6. 1. All Letters of Safe Conduct, which be not enrolled in the Chancery before the Delivery of them, shall be void.

IV. They who will take the benefit of the King's Safe Conduct, shall have it ready enrolled at the time of their Apprehension: Howbeit, although the Safe Conduct be not presently shewed, yet it will suffice, if it be afterwards proved to be then enrolled.

Saint John's.

I. Stat. 32 H. 8. 24. By this Act the Corporation of Saint John's of Jerusalem in England and Ireland, was dissolved, and the Priors and Confreres thereof prohibited to wear the Marks, &c.

II. The King was to have their Houses, Churches, Lands, Goods, Chattels, Debts, and all other things of theirs. There be also divers Pensions appointed severally to the Priors, Chaplains and Confreres of that Order, to continue during their Lives.

III. All of that Order are discharged from Obedience for their Religion, and also enabled to sue, and to take and have such liberty as other Religious Persons were enabled by 31 H. 8. 6. (*which see in Ability*) Likewise their Lands are to be within the Survey of the Court of Augmentations.

Scarborough.

I. Stat. 37 H. 8. 14. An Act for the incorporating two Persons, (by the Name of the Masters or Keepers of the Peer and Key at Scarborough) who have Power to distrain every Man having Lands or Houses there, for the Fifth Part of the yearly Revenue thereof, towards the Repair of the said Peer and Key. *See the Statute at large.*

Sea, and Seamen.

I. Stat. 18 E. 3. Stat. 2. 3. The Sea shall be open to all Merchants to pass with their Merchandize where they please.

II. Stat. 19 Car. 2. Cap. 5. An Act to prevent the Disturbances of Seamen and others, and to preserve the Stores belonging to his Majesty's Navy Royal. *Exp.*

* III. Stat. 19 Car. 2. Cap. 7. The Treasurer, Comptroller, Surveyor, Clerk of the Acts, and Commissioners of the Navy, or one or more of them, may examine and punish all, whom they upon enquiry or view shall find to make, or have made any Disturbance, fighting or quarrelling in the Yards, Stores or Offices for the Navy,

and punish the said Offences by Fine, Imprisonment, or either; the Fine not exceeding 20 s. nor the Imprisonment one Week; and may commit such Offenders to the next Goal, or Custody of the Messengers attendant on them, and may discharge such Fine and Imprisonment, if they think fit; And for Non-payment of the Fine, may imprison till payment; which Fines shall be paid to the Clerk of the Chest to the use of maimed Seamen.

IV. The said Officers and Commissioners, where Punishment is needful, may bind such Offenders to their good Behaviour, with or without Sureties.

V. The said Officers and Commissioners, or one or more of them, by Warrant under their Hands and Seals, may search for his Majesties Stores and Ammunition pertaining to the Navy, (which divers times are filched away) in all places, as Justices of Peace may do in case of Felony, and punish the Offenders by Fine and Imprisonment, as aforesaid, and cause the Goods to be brought in again: And if the Offence require a higher Punishment, they may commit the Offender to the next Goal, or Custody of their Messengers, till they enter Recognisance, with Surety or Sureties, to appear in the Exchequer or other Court, within a Year, on Process duly served.

VI. The said Principal Officers and Commissioners may put in use the said Powers, as well within the Liberties as without.

VII. This Act to continue for two Years, and from thence to the end of the next Session of Parliament.

VIII. Stat. 22 & 23 Car. 2. cap. 23. *The Act next foregoing revived and continued during the Continuance of this present Act, (excepting one Clause, which is therefore omitted in the Abridgment of the said Act.*

IX. The said Officers and Commissioners, or one or more of them, where any Goods, in being carried from his Majesties Yards, Wharfs, Store-houses, or other Places, to his Ships, or re-carried, shall be imbezelled, and the Value thereof be under 20 s. may upon the Oaths of two or more Witnesses, or other legal Proof, convict the Offenders by Writing under Hand and Seal, and impose such Fine as they shall think fit; not exceeding double the Value of the Goods imbezelled, to be levied by Distress and Sale of Goods, and if no sufficient Distress can be found, the Offender may be imprisoned in the next Goal, for any time not exceeding three Months without Bail or Mainprize.

X. The said Officers and Commissioners, or one or more of them, upon Oath of two or more Witnesses, that any of his Majesties Stores and Naval Provisions are conveyed into any Vessel being at Anchor, and not ready to sail that Tide; or any Person by their Warrant, specifying the quantity or quality of such Goods, may in the presence of any known Officer of the Admiralty, go on board any such Vessel: And if resistance be made upon demand, to break open the Hatches, and other Places of the Ship, and search

search for such Stores, &c. and Seize and carry them away to be applied to the King's Use, unless the said Officers and Commissioners shall find they were unduly served.

XI. Whosoever shall personate any Seaman, Soldier, Artificer, or Labourer before the said Officers or Commissioners, or the Pay-master or Chaphier of the Navy, in order to the receiving his Money, such Person may be committed to Prison by any of the said Principal Officers or Commissioners, till he find Bail to answer the Offence at the next Assizes or Quarter-Sessions: And being there convicted, he shall forfeit double the Sum that he would have gained by Fraud, to the Governors of the Chest at *Chatham*; and suffer Imprisonment, not exceeding a Year, at the Discretion of the Court.

XII. Any Person counterfeiting the Hands of any of the said Officers or Commissioners, or the Hands of any of the Signing or Vouching Officers of the Navy, to any Bill, &c. whereby the King's Naval Treasure is disposed of, or knowingly produce any such Counterfeit Bill, &c. shall be committed by the said Officers or Commissioners, or one of them, till he find Surety as aforesaid.

XIII. The said Officers and Commissioners, or any one of them, may administer an Oath in any case relating to his Majesties Treasure, Victuals, Stores, &c. or for the Preservation of Discipline in all Matters cognisable by them.

 XIV. The said Officers and Commissioners, &c. may execute the Powers given by this Act, as well within Liberties as without.

XV. No Ordinary, or Officer belonging to any Ecclesiastical Court, or any Jurisdiction whatsoever, shall take of the Executors or Administrators (being the Wife, Children or next of Kindred) of any Mariner, Soldier, Seaman, or above-named Artificer (except where the Deceased shall leave an Estate of 20 *l.* or more) dying in the King's Pay, above 5 *s.* for the whole Charge of the Probat, Registering, Granting, Administring, and Exhibiting an Inventory, and any other thing relating thereunto. Officers taking more, or delaying the executing of the Premises, shall forfeit to the Party grieved 10 *l.*

XVI. Nothing in this Act shall repeal or change any Clause or Matter in an Act made 22 Car. 2. *for taking away the Benefit of Clergy from such as steal Cloth from the Rack, and from such as shall steal or imbezel his Majesties Ammunition and Stores.*

XVII. The Lord High Admiral may exercise all the Powers hereby given.

XVIII. None punished by Virtue of this Act, shall be punished for the same Offence by any other Law.

XIX. This Act shall continue in force for seven Years, and from thence to the end of the next Session of Parliament, and no longer.

XX. Stat. 1 Jac. 2. cap. 17. The Act next before going shall be in force seven Years, and from thence to the end of the first Session of the next Parliament. *Continued from the 13 Feb. 1692. for seven Years, and to the end of the next Session after,* per Stat. 4 & 5 W. & M. Sess. 4. Cap. 24. Sect. 8.

Seals.

I. Artic. super Chart, Cap. 6. 28 E. 1. No Writ concerning the Common Law shall be awarded under any of the Petty Seals,

II. Stat. 11 R. 2. 10. The King's Signet or Privy Seal, shall not be sent in Prejudice of the Realm, or Disturbance of the Law.

III. Stat. 4 H. 7. 14. All Grants and Writings of Lands, and other things pertaining to the Earldom of *March* shall be under the Great Seal, and not under the Special Seal.

Serjeants at Arms.

I. Stat. 13 R. 2. 6. There shall be but Thirty Serjeants at Arms, who shall meddle with nothing but what concerns their Offices; neither shall they oppress the People, in Pain to lose their Office, make Fine to the King at his pleasure, and full Satisfaction to the Party.

Service and Sacraments.

*** I. Stat. 1 E. 6. 1.** None shall speak or do any thing in contempt of the most Holy Sacrament, in pain of Imprisonment, and to make Fine and Ransom at the King's Will.

II. Three Justices of Peace (1. *Qu.*) have Power to take Information by the Oaths of two lawful Persons (at least) concerning the Offence aforesaid, and to bind over by Recognizance every Accuser and Witness in 5 *l.* apiece, to appear the next Sessions, to give Evidence against the Offenders, who are there to be enquired of before three Justices or more, by the Oaths of Twelve Men, and also indicted, if the Matter alledged against them be found true.

III. Three Justices or more, have likewise Power to send out two Writs, *Capias* and *Exigent*, and a *Capias Utlagat*, against such Offenders in all Counties and Liberties; and upon their appearance to determin the Contempts and Offences aforesaid, or to take Bail for their Appearance, as aforesaid.

IV. The Justices also have Power to direct a Writ in the King's Name to the Bishop of the Diocese where the Offence was committed, by which he shall be required to be present himself (or some for him sufficiently learned) at the Arraignment of the Offender, and to give Advice concerning the Offence committed.

V. The

V. The Offence shall be prosecuted within three Months, and the Offender shall be admitted to produce Witnesses for his defence.

VI. The Minister shall deliver the Sacrament to every Person in both kinds, and shall not (without lawful cause) deny it to any that will devoutly and humbly desire it

VII. Stat. 2 & 3 E. 6. 1. Every Minister shall use the Church-Service in such Form as is mentioned in the Book of Common-Prayer established by this Act, and shall not use any other, or deprave the same, in Pain (if he be beneficed, and convicted thereof by the Verdict of Twelve Men, his own Confession, or notorious Evidence of the Fact) to forfeit to the King for the first Offence that of his Benefices, which the King will choose, and to suffer six Months Imprisonment ; for the second, to suffer one whole Years Imprisonment, and to be deprived *ipso facto* of all Spiritual Promotion, whereupon every Patron may present : and for the third, to suffer Imprisonment during Life. And if he be not beneficed, for the first Offence he shall suffer six Months Imprisonment ; and for the second, Imprisonment during Life.

VIII. If any shall be convicted to have by Interludes, Plays, Songs, Rhymes, or otherwise depraved the said Book ; to have compelled or procured the Minister to sing or say any other Church-Service, or any other Form than as aforesaid ; or by any such Means to have interrupted, or let the Minister to sing or say the said Service, they shall for the first Offence forfeit 10 l. to the King, or (that not paid within six Weeks after Conviction) shall suffer in stead thereof three Months Imprisonment without Bail ; for the second time offending, shall forfeit 20 l. or (that not paid within six Weeks as aforesaid) shall suffer six Months Imprisonment without Bail ; and the third time shall forfeit all their Goods, and suffer Imprisonment during Life.

IX. Justices of Oyer and Terminer, and Justices of Assize, have Power to hear and determin these Offences, unto whom the Archbishop, or Bishop of the Diocese may associate himself, if he please.

X. This shall not restrain any private Man, or publick Colleges to use the said Service in such Tongues as they understand, the Holy Communion only excepted ; or any other to use Psalms or Prayers taken out of the Bible, at convenient times, not letting thereby the said Service.

XI. The Offences aforesaid shall be prosecuted at the next Assize or Sessions of Oyer and Terminer after they are committed : And here, Trial of Peers shall be by Peers.

XII. Chief Officers of Cities and Corporations shall also hear and determin these Offences within their several Precincts, and so likewise shall Ecclesiastical Magistrates : Howbeit, none shall be punished above once for one Offence.

XIII. Stat. 5 & 6 E. 6. 1. Every Person shall resort to his Parish-Church or Chapel (or upon just let) go to some other, every Sunday and Holy-day, in Pain to be punished by the Censure of the Church.

XIV. The Common-Prayer-Book now made perfect, and annexed to this Act, together with the Addition of Consecrating Archbishops, Priests and Deacons, shall be used and esteemed as by the Statute of 2 & 3 E. 6. 1. is ordained, under the Pains in that Statute expressed.

XV. If any shall be convicted by Verdict of Twelve Men, before Justices of Assize, Oyer and Terminer, or Peace in Sessions, to have wittingly heard, or have been present at any other Form of Common-Prayer, Administration of Sacraments, making of Ministers, or other Rites than what are expressed in the said Book, or which are contrary to the said Statute of 2 & 3 E. 6. 1. he shall for the first Offence suffer six Months Imprisonment without Bail; for the second, twelve Months Imprisonment; and for the third, Imprisonment during Life.

XVI. Stat. 1 M. Sess. 2. cap. 3. If any shall disturb a Preacher lawfully licensed, he shall be by the Constables or Churchwardens of the Parish brought before a Justice of Peace, who, upon due Accusation, shall presently commit him to safe Custody, and within six Days after, together with another Justice, shall diligently examine the Fact; who if they find cause, shall commit him to the Common Goal, there to remain for three Months, and from thence to the next Quarter-Sessions; at which, upon the Parties Reconciliation, and entering into Bond for good Behaviour for one whole Year, (at the Discretion of the Justices in Sessions he shall be released) but if he persist still in his Obstinacy, he shall remain in Prison without Bail, until he shall reconcile, and be penitent for his Offence.

XVII. He that rescues an Offender in this kind, shall suffer like Imprisonment as aforesaid, and besides, shall forfeit 5 l. to the Queen.

XVIII. The Inhabitants of a Town that suffer such an Offender to escape, shall forfeit 5 l. being presented before the Justices of Peace in Sessions, within the County or Corporation where the Escape was made.

XIX. Justice of Peace, Assize, and Oyer and Terminer, and Mayors, and Head Officers of Corporations have Power to hear and determine these Offences, and to impose the Fines aforesaid.

XX. This Act shall not restrain the Jurisdiction of the Ecclesiastical Laws: Howbeit, none shall be punished here twice for one Offence.

XXI. Stat. 1 El. 2. Every Minister shall use the Church-Service in such Form as is mentioned in the Book of Common-Prayer established by 5 & 6 E. 6. 1. together with the Addition of certain Lessons to be used on every Sunday in the Year, and the Form of the Litany altered and corrected, and two Sentences only added in the Delivery of the Sacrament to Communicants.

XXII. If

XXII. If any Minister shall be convicted by the Verdict of twelve Men, his own Confession, or notorious Evidence of the Fact, to have refused to use the Church Service, or to have used any other Rite, Ceremony, Order, Form or Manner than is set forth in the said Book, or to have depraved the same Book, or any thing therein contained, he shall Forfeit (being a beneficed Man) for the first Offence, one whole Years Profit of all his Spiritual Promotions, and suffer six Months Imprisonment; for the second shall be deprived *ipso facto*, whereupon every Patron may present, and shall suffer one whole Years Imprisonment; and for the third, shall be also deprived, as aforesaid, and suffer Imprisonment during Life: And if he be not beneficed, for the first Offence he shall suffer one whole Years Imprisonment; and for the second, Imprisonment during Life.

XXIII. If any shall be convicted to have by Interludes, Plays, Songs, Rhymes, or otherwise depraved the said Book, or to have compelled, or procured the Minister to sing or say any other Church-Service, or in any other Form than as aforesaid, or by any such means have interrupted, or let the Minister to sing or say the said Service, they shall for the first Offence forfeit an hundred Marks to the Queen; or, that not paid (within six Weeks after Conviction) shall suffer (in stead thereof) six Months Imprisonment; for the second Offence shall forfeit four hundred Marks; or that not paid (within six Weeks, as aforesaid) shall suffer one whole Years Imprisonment; and for the third Offence, shall forfeit all their Goods and Chattels, and suffer Imprisonment during Life.

XXIV. Every Person shall resort to their Parish-Church, or (upon let thereof) to some other, every Sunday and Holy-day, upon Pain to be punished by Censures of the Church, and also to Forfeit 12 *d.* to be levied by the Churchwardens there, for the use of the Poor, upon the Offenders Goods by way of Distress.

Protestant Dissenters exempted from the Penalties in the last Section, per Stat. 1 W. & M. Sess. 2.

XXV. Justices of Oyer and Terminer, and of Assize, and Mayors, and Head Officers of Corporations have Power to hear and determine these Offences; unto whom the Archbishop or Bishop of the Diocese may associate himself, if he please. *Howbeit, Note, that by the Statute of 23 El. 1. Justices of Peace have also Power to meddle therein; which see in the Title Crown.*

XXVI. None shall be impeached by this Act, unless the Offence be presented at the next Sessions of Oyer and Terminer, or Assize, after it is committed: And here, Trial of a Peer shall be by Peers.

XXVII. This Act shall not restrain Ecclesiastical Jurisdiction; howbeit, none shall be punished twice for one Offence.

XXVIII. Such Ornaments and Ministers of the Church shall be retained, as were to be in the Church of England by the Statute of 2 & 3 E. 6. 1. until the Queen shall take other Order by the Advice of the Commissioners, by her to be appointed under the Great Seal, or by the Advice of the Metropolitan of this Realm.

XXIX. If

XXIX. If any Contempt or Irreverence be used in the Ceremonies or Rites of the Church, by misusing the Orders appointed in the Book of Common-Prayer, the Queen, by like Advice of the said Commissioners or Metropolitan, may ordain such farther Ceremonies or Rites, as may be most for God's Glory, the Edifying of the Church, and Reverence of Christ's holy Ministers and Sacraments.

XXX. All other Laws made for other Service shall be void.

XXXI. Stat. 5 El. 28. An Act for Translating of the Bible and Book of Common-Prayer into the *Welsh* Tongue: Also there shall be an *English* Bible and Book of Common-Prayer in every Church of *Wales*.

XXXII. Stat. 3 Jac. 1. cap. 1. All Ministers in every Cathedral and Parish-Church, or other usual Place for Common-Prayer within the King's Dominions, shall always upon the Fifth Day of *November*, say Morning Prayer, and give Thanks to God for the happy Deliverance of the King, Queen, Prince, and both Houses of Parliament, upon that Day.

XXXIII. Every Person within the King's Dominions shall always upon that Day diligently resort to his Parish-Church or Chapel, or to some usual Church or Chapel where the said Common-Prayer, Preaching, and other Service of God shall be used, and there orderly abide during the said Solemnity.

XXXIV. Every Minister shall give Warning publicly in the Church at Morning-Prayer the Sunday before every such Fifth of *November*, for the due Observation of the said Day; and after Morning Prayer or Preaching upon the said Fifth Day of *November*, shall read publicly and distinctly this present Act.

XXXV. Stat. 13 & 14 Car. 2. cap. 4. All Ministers in any Place of Publick Worship shall use the Administration of both Sacraments and the Publick Prayers, in such Order and Form as is mentioned in the Book of Common-Prayer, with such Additions and Alterations as have been made therein by the Convocation now sitting.

XXXVI. Every Person that shall be put in any Ecclesiastical Benefice or Promotion, shall in the Place of Publick Worship thereto belonging, within two Months after actual Possession thereof, upon some Lord's Day, read the Morning and Evening-Prayers according to the said Book, and declare his Assent and Consent to all things therein contained in these Words:

I A.B. do hereby declare my unfeigned Assent and Consent to all and every thing contained and prescribed in and by the Book, Entituled, The Book of Common-Prayer and Administration of the Sacraments, and other Rites and Ceremonies of the Church, according to the Use of the Church of England, together with the Psalter or Psalms of David, Pointed as they are to be Sung or Said in Churches, and the Form or Manner of Making, Ordaining, and Consecrating Bishops, Priests and Deacons.

And

And they that neglect to do the same within that time, or in case of some Impediment to be allowed by the Ordinary, within a Month after such Impediment removed, shall be *ipso facto* deprived of all Ecclesiastical Benefices, and the Patrons may present, as if they were dead.

XXXVII. Where the Incumbent of any Benefice with Cure doth reside on his Living and keep a Curate, himself shall (not having some Impediment to be allowed by the Ordinary) once in every Month read Service, and if there be occasion, administer the Sacraments, and other Rites, as by the said Book is appointed, or forfeit to the Use of the Poor of the Parish for every Offence upon Conviction by Confession, or Oaths of two Witnesses before two Justices of Peace of the County, City, or Town-corporate where, &c. 5 *l.* to be levied, in default of Payment within ten Days, by distress and sale of Goods, by Warrant of the said Justices, by the Churchwardens and Overseers of the Poor.

XXXVIII. Every Dean, Canon, Prebendary, Masters and other Heads, Fellows, Chaplains and Tutors of any House of Learning, or Hospital, Professors and Readers in the Universities, or Colleges elsewhere, Parsons, Vicars, Curates, Lecturers and other in Holy Orders, Schoolmasters of publick or private Schools, and Tutors of Youth in private Families, shall at or before their respective Admissions, subscribe the Declaration following, (*viz.* the Masters and other Heads, Fellows, Chaplains and Tutors of any House of Learning, Professors and Readers in either of the Universities, before the respective Vice-chancellors, or their Deputies, and the rest before the Archbishop or Ordinary of the Diocese.)

I A. B. do declare, That it is not lawful upon any Pretence whatsoever to take Arms against the King; and, That I do abhor that traiterous Position of taking Arms by his Authority against his Person, or against those that are Commissioned by him, (These words being no more to be required or enjoined, per Stat. 1 W. & M. cap. 8. Sect. 11.) and that I will conform to the Liturgy of the Church of England, as it is now Established; and I do declare, That I hold there lies no Obligation upon me or any other Person, from the Oath commonly called, The Solemn League and Covenant, to endeavour any Change or Alteration of Government in Church or State; and, that the same was in it self an unlawful Oath, and imposed upon the Subjects of this Realm against the known Laws and Liberties of this Kingdom.

In Default whereof they shall be utterly deprived of the Places *ipso facto*, which Places shall be void as if they were dead.

XXXIX. Schoolmasters and Private Tutors teaching any Youth before Licence from the Archbishop or Ordinary of the Diocese, (for which they shall pay 12*d.*) and before such Subscription, shall for the first Offence suffer three Months Imprisonment, and for the second the like Imprisonment, and Forfeit 5 *l.* and

and every Parson, Vicar, Curate and Lecturer shall procure a Certificate of his Subscription from the Archbishop or Ordinary, and read it, with the Declaration aforesaid upon some Lord's Day within three Months after, in his Parish-Church in Service-time, or be disabled and deprived of his Place, which shall be void, as if he were dead.

XL. After the 25th of *March*, 1682. the latter part of the said Declaration, beginning at these words, *viz. And I do declare, That I hold there lies no Obligation upon me, &c.* shall be omitted.

XLI. No Person not formerly made Priest by Episcopal Ordination, shall be capable of any Ecclesiastical Promotion, nor shall administer the Lord's Supper before he be ordained Priest according to the said Book, on pain to Forfeit one hundred Pounds for every such Offence, one Moiety to the King, the other to be divided between the Poor of the Parish where the Offence is committed and the Prosecutor, and to be disabled from taking the Order of Priest by the space of a Year.

XLII. This Act shall not extend to the Foreigners of the Foreign Reformed Churches allowed by the King.

XLIII. No Lapse shall accrue by virtue of this Act, but after five Months after Notice or publick Reading of such Sentence of Deprivation in the Parish-Church, the Incumbent whereof shall be deprived.

XLIV. No Form of Common Prayers, Administration of Sacraments, Rites, &c. shall be used in any publick Place, other than according to the said Book. Heads of Colleges or Halls in either University, and of the Colleges of *Westminster*, *Winchester* and *Eaton*, within a Month after Admission, shall in the Chapel or other publick Place of the said College, &c. before the greater Part of the Fellows and Scholars then resident, subscribe the Thirty nine Articles, and declare his Approbation thereof, and of the said Book; and such of them as shall be in Orders shall once a quarter (not having a lawful Impediment) read the Morning Service on pain of being suspended from the Profits of such Government, by the Visitor, for six Months, within which time if they Subscribe not, and declare their Consent, or Read, as aforesaid, such Government shall be void.

XLV. The Service prescribed by the said Book may be used in the Universities and Colleges of *Westminster*, *Winchester* and *Eaton* in *Latin*.

XLVI. No Person shall be a Lecturer, or Preach or Read any Sermon or Lecture, unless he be licensed by the Archbishop, or Bishop, or Warden of the Spirituality, if the See be void, and shall in their presence read the Thirty nine Articles, and declare his Assent thereto; and every Person so licensed, the first time he preacheth shall before his Sermon read the Service appointed for that time, and declare his Assent to the said Book in the Form above-mentioned; and upon the first Lecture-day of every Month shall

shall read the Service appointed, and declare his Assent, *ut supra*: and in case of Refusal, be disabled to preach till he conform according to this Statute. But at Sermons and Lectures in Cathedral and Collegiate Churches and Chapels, it shall be sufficient for the Lecturer to declare his Assent to all things in the said Book, *ut supra*.

XLVII. If any disabled by this Act shall preach, two Justices of Peace, and the Mayor or other Chief Magistrate of any City or Town Corporate, upon Certificate from the Ordinary, shall commit the Offender for three Months.

XLVIII. When any Sermon or Lecture is to be preached, other than publick University Sermons or Lectures, the Service for that time appointed shall be read by some Priest or Deacon before such Sermon, &c. and the Lecturer shall be present.

XLIX. The several Statutes now in Force for the Uniformity of Prayer, &c. shall stand in Force for the establishing and confirming the said Book to this Act annexed, and for punishing Offences contrary to the said Laws, with relation to the Book aforesaid, and no other.

L. A Printed Copy of the said Book shall be gotten at the Costs of the Parishioners, on pain of forfeiting 3 *l.* by the Month as long as they are unprovided, by every Parish, Chapelry, Cathedral-Church, College and Hall.

LI. The Bishops of *Hereford*, *St Davids*, *Asaph*, *Bangor*, and *Landaff*, and their Successors, shall take order that the said Book be translated into *Welsh*, and after perused by any three of them, be imprinted, so that every Church and Chapel of Ease where *Welsh* is commonly spoken, may have one, and that the Service be there used in the *Welsh* Tongue: (for which Books the Churchwardens shall pay, and be allowed it on their Accounts, and any three of the said Bishops shall set the Price) and one other Book of Common-Prayer in *English* shall be had in every Church in *Wales*, to remain in some convenient Place for resort to, and perusal of the same.

LII. The Deans and Chapters of Cathedral and Collegiate Churches shall at their proper Costs obtain under the Great Seal a Copy of this Act, and the said Book to be kept by them and their Successors, and Copies of this Act and the said Book shall be delivered into the respective Courts at *Westminster*, and into the Tower of *London* to be kept among the Records of the said Courts and of the Tower; which being examined by such as the King shall appoint under the Great Seal, and certified to be true Copies, and exemplified under the Great Seal, shall be as good Records as this Book it self to this Act annexed.

LIII. This Act shall not be prejudicial to the King's Professor of Law at *Oxford*, concerning the Prebend of *Shipton*, annexed to his Place by King *James*.

LIV. All Subscriptions to the Thirty nine Articles shall be applied as touching the Thirty sixth Article to the Book in this Act mentioned.

LV. Protestant dissenting Preacher and Teacher exempt from Penalty of 100 l. mentioned in this Act, *per Stat. 1 W. & M. cap. 18. Sess. 8.*

LVI. *Stat. 15 Car. 2. cap. 6.* All Deans, Canons, Prebendaries, Masters and Fellows of Colleges, Halls, &c. and all Ecclesiastical Persons, who at the time of the passing the Act of Uniformity, being in *Ireland*, or any Parts beyond the Sea, did not return into this Kingdom before the Feast of *St. Bartholomew*, 1662. or being here by Imprisonment, Sickness, or otherwise did not Subscribe the Declaration and Acknowledgment as is thereby enacted before the said Feast, are hereby restored to their Benefices and Promotions, whereunto no others were inducted before the first of *August*, 1663. Provided, That before *Christmas* next, if they be in *England*, else within forty Days after return, they Subscribe the said Declaration and Acknowledgment, and procure a Certificate under the Hand and Seal of the Ordinary, and publicly read the same together with the Declaration aforesaid, upon some Lord's Day, within three Months after, in his Parish-Church.

LVII. Subscriptions made and to be made before any Vicar-General or Chancellor, or to any Ordinary or Commissary to any Bishop, shall be good in Law, as if made before the Archbishop of the Province, or Bishop of the Diocese.

LVIII. The Penalties by 13 & 14 *Car. 2. cap. 4.* to be inflicted on Persons disabled by that Act to preach, shall be inflicted on every Person so offending, that is prohibited by the said Act to preach.

Sebern.

I. *Stat. 34 & 35 H. 8. 9.* A Penalty for casting any Ballast or Rubul in *King-Road*, in any part of the Haven in *Bristol*.

II. None shall load any Corn in any Vessel by the Water of *Severn* to be transported beyond Sea, before he be bound to the Customer of *Bristol* to bring it first to *Bristol*, to be there viewed by the Mayor there for the time being, in pain to Forfeit both the Grant and Vessel.

III. The Penalty where one bringeth more Corn to *Bristol* to be measured, and thence to be transported, than is contained in his Cocquet or Licence, which is to be delivered unto him by the said Mayor when he takes Bond of him, as aforesaid.

IV. The Penalty for denying to measure the Corn at *Bristol*, is Five Pounds for every time, to be divided betwixt the King and the Prosecutor. *See the Statute at large.*

V. *Stat. 30 Car. 2. cap. 9.* If any Person after the first of *August* next, shall in the River of *Severn* fish with, or make use of any Engine

Engine or Device, whereby any Salmon, Trout or Barbel under the length appointed by the Statute of 1 *El.* shall be taken or killed; or shall fish with any Net for Salmon, Salmon-mart, Salmon-peal, Pike, Carp, Trout, Barbel, Chub or Grayling, the Mesh whereof shall be under two Inches and an half square from Knot to Knot, or about twenty Yards in length, and six Yards in breadth, or above fifty Yards length, and six in breadth in the Wing of the Net, in the said River from *Ripley-Lockstake* to *Gloucester-Bridge*, or above sixty Yards in length below *Gloucester-Bridge*, and six Yards in breadth in the Wing of the Net, or shall fish with more than one of those Nets at once, or shall use any device for taking the Fry of Eels, he shall Forfeit 5 *l.* for every Offence, and the Fish so taken, and the Instruments wherewith, &c. and 5 *l.* for every time he or they shall water any Hemp or Flax in the said River.

VI. If any between the first of *March* and the last of *May*, shall do any Act whereby the Spawn of Fish shall be destroyed, they shall Forfeit 40 *s.* for every Offence, and the Instruments employed for the said purpose.

VII. The Justices of Peace of the Counties of *Worcester*, *Salop* and *Gloucester*, shall be Conservators of the said River in their respective Counties, and make one or more Under-conservators in their respective Limits; to whom, or to any Constable, Tythingman or Headborough, upon their own Knowledge or Information of any such Offence, they shall issue Warrants under the Hands and Seals of any two of them, to search in all suspected Houses, &c. for unlawful Instruments; and seize them, and bring them to the Quarter-Sessions to be destroyed.

VIII. None shall be punished for the said Offences, but by Information or Indictment before the Justices of Assize and *Nisi Prius*, *Oyer* and *Terminer*, and Goal-delivery of the General-Sessions of the Peace: The one Moiety of the Forfeitures shall be to the use of the Poor of the Parish where the Offence shall be committed, the other to the Prosecutor, to be levied by *Fieri facias*, or *Cap. ad satisfaciendum*.

IX. The Jurisdiction of the Lords of Leets or Franchises saved, and all Rights, Titles, &c. of the King and others in the said River.

¶ Sewers.

I. Stat. 6 H. 6. 5. During Ten Years several Commissions of Sewers shall be made to divers Persons by the Chancellor of *England*, to be sent into all Parts of the Realm where need shall be, according to the Form in the said Statute expressed: For which see the Statute at large, being here omitted, because a later Commission was afterwards ordained by the Statute of 23 H. 8. 5. which see after in the proper place.

II. Stat.

II. Stat. 8 H. 6. 3. Commissioners of Sewers shall have power to do, ordain and execute all such Statutes, Ordinances, and other things as shall be made according to the Effect and Purport of the Commission of Sewers ordained by the Statute of 6 H. 6. 5.

III. Stat. 18 H. 6. 10. Commissions of Sewers shall be awarded where need shall require, during Ten Years.

IV. Stat. 23 H. 6. 9. The Chancellor of *England* may grant Commissions of Sewers during Fifteen Years.

V. Stat. 12 E. 4. 6. The Chancellor of *England* may grant Commissions of Sewers for Fifteen Years, where need shall require.

VI. Stat. 4 H. 7. 1. Commissions of Sewers shall be granted during Five and twenty Years.

VII. Stat. 6 H. 8. 10. Commissions of Sewers shall be granted during Ten Years, according to the Statute of 6 H. 6. 5. and 4 H. 7. 5.

VIII. Stat. 23 H. 8. 5. Commissions of Sewers shall be directed into all Parts of the Realm from time to time, where and when need shall require, according to the manner, form and tenor hereafter following, to such substantial and indifferent Persons as shall be named by the Lord Chancellor and Lord Treasurer of *England*, and the two Chief Justices, or any Three of them, whereof the Lord Chancellor is to be one.

IX. *Henry the Eighth, &c.* Know ye, that forasmuch as the Walls, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Streams and other Defences by the Coasts of the Sea, and Marsh-Ground being and lying within the Limits of *A. B.* and *C.* in the County or Counties of

or in the Borders or Confines of the same, by Rage of the Sea flowing and reflowing, and by means of the Trenches of fresh Water descending, and having Course by divers ways to the Sea, be so dirupt, lacerate and broken; and also the common Passages of Ships, Ballengers and Boats in the Rivers, Streams and other Floods within the Limits of *A. B.* and *C.* in the County or Counties of

or in the Borders or Confines of the same, by means of setting up, erecting and making Streams, Mills, Bridges, Ponds, Fish-garths, Mill-dams, Locks, Hebbing-wears, Hecks, Flood-gates, or other Lets, Impediments or Annoyances, be letted or interrupted; so that great and inestimable Damage for default of Reparation of the said Walls, Ditches, Banks, Fences, Sewers, Gates, Gutters, Calcies, Bridges and Streams, and also by means of setting up and erecting, making and enlarging of the said Fish-garths, Mill-dams, Locks, Hebbing-wears, Hecks, Flood-gates, and other Annoyances in times past hath happened, and yet is to be feared that far greater Hurt, Loss or Damage is like to ensue, unless that speedy Remedy be provided in that behalf.

X. We

We therefore, for that, by Reason of our Dignity and Prerogative Royal, we be bound to provide for the Safety and Preservation of our Realm of *England*, willing that speedy Remedy be had in the Premisses, have assigned you, and six of you, of the which we will that *A. B.* and *C.* shall be three, to be our Justices to survey the said Walls, Streams, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Trenches, Mills, Mill-dams, Flood-gates, Ponds, Locks, Hebbing-wears, and other Impediments, Lets and Annoyances aforesaid, and the same to cause to be made, corrected, repaired, amended, put down, or reformed, as Cause shall require, after your Wisdoms and Discretions. And therein as well to ordain and do after the Tenor, Form and Effect of all and singular the Statutes and Ordinances made before the First day of *March*, and in the Three and twentieth year of our Reign, touching the Premisses, or any of them; as also to enquire by the Oaths of the honest and lawful Men of the said Shire or Shires, Place or Places where such Defaults or Annoyances be, as well within Liberties as without, by whom the truth may the rather be known, through whose Default the said Hurts and Damages have happened, and who hath or holdeth any Lands or Tenements, or Common of Pasture, or Profit of Fishing, or hath, or may have any Hurt, Loss, or Disadvantage by any manner of means in the said Places, as well near to the said Dangers, Lets and Impediments, as inhabiting or dwelling thereabouts, by the said Walls, Ditches, Banks, Gutters, Gates, Sewers, Trenches, and other the said Impediments and Annoyances. And all those Persons, and every of them, to tax, assess, charge, distrain and punish, as well within the Metes, Limits and Bounds of old time accustomed, or otherwise, as elsewhere within our Realm of *England*, after the quantity of their Lands, Tenements and Rents, by number of Acres and Perches, after the rate of every Persons Portion, Tenure or Profit, or after the quantity of their Common of Pasture, or Profit of Fishing, or other Commodities there, by such ways and means, and in such manner and form, as to you, or six of you, whereof the said *A. B.* and *C.* to be three, shall seem most convenient to be ordained and done, for Redress and Reformation to be had in the Premisses. And also to reform, repair and amend the said Walls, Ditches, Banks, Gutters, Sewers, Gates, Calcies, Bridges, Streams, and other the Premisses, in all Places needful; and the same, as often, and where need shall be, to make new, and to cleanse and purge the Trenches, Sewers and Ditches in all Places necessary; and farther to reform, amend, prostrate, and overthrow all such Mills, Streams, Ponds, Locks, Fish-garths, Hebbing-wears, and other Impediments and Annoyances aforesaid, as shall be found by Inquisition, or by your Surveying and Discretions to be excessively hurtful. And also to depute and assign diligent, faithful and true Keepers, Bailiffs, Surveyors, Collectors, Expenditors, and other Ministers and Officers, for the Safety, Conversation, Reparation, Reformation and

making of the Premises, and every of them; and to hear the Account of the Collectors and other Ministers, of and for the receipt and laying out of the Money that shall be levied and paid in and about the making, repairing, reforming, and amending of the said Walls, Ditches, Banks, Gutters, Gates, Sewers, Calcies, Bridges, Streams, Trenches, Mills, Ponds, Locks, Fish-garths, Flood-gates, and other Impediments and Annoyances aforesaid. And to distrain for the Arrearages of every such Collection, Tax and Assessment, as often as shall be expedient; or otherwise to punish the Debtors and Detainers of the same, by Fines, Amerciaments, Pains or other like means, after your good Discretions. And also to arrest and take as many Carts, Horses, Oxen, Beasts, and other Instruments necessary, and as many Workmen and Labourers, as for the said Works and Reparations shall suffice, paying for the same competent Wages, Salary and Stipend in that behalf: And also to take such, and as many Trees, Woods, Under-woods, Timber and other Necessaries, as for the same Works and Reparations shall be sufficient, at a reasonable Price by you, or six of you, of which we will that *A. B. and C.* shall be three, to be assessed or limited, as well within the Limits and Bounds aforesaid, as in any other place within the said County or Counties near unto the said Places. And to make and ordain Statutes, Ordinances and Provisions from time to time, as the Case shall require, for the safeguard, conservation, redress, correction and reformation of the Premises, and of every of them, and the parts lying to the same, necessary and behoveful, after the Laws and Customs of *Rumney Marsh* in the County of *Kent*, or otherwise, by any Ways and Means after your own Wisdoms and Discretions. And to hear and determin all and singular the Premises, as well at our Suit, as at the Suit of any other whatsoever complaining before you, or six of you, whereof *A. B. and C.* shall be three, after the Laws and Customs aforesaid, or otherwise, by any other ways and means after your Discretions. And also to make and direct all Writs, Precepts, Warrants, and other Commandments, by virtue of these Presents, to all Sheriffs, Bailiffs, and other Ministers, Officers, and other Persons, as well within Liberties as without, before you, or six of you, whereof the said *A. B. and C.* to be three, at certain days, terms and places, to be returned and received. And farther, to continue the Process of the same, and finally to do all and every thing and things as shall be requisite for the due Execution of the Premises. By all ways and means, after your Discretions. And therefore we command you, That at certain days and places, when and where you, or six of you, whereof the said *A. B. and C.* to be three, shall think expedient, ye do survey the said Walls, Fences, Ditches, Banks, Gutters, Gates, Sewers, Calcies, Ponds, Bridges, Rivers, Streams, Water-courses, Mills, Locks, Trenches, Fish-garths, Flood-gates, and other Lets, Impediments and Annoyances as aforesaid, and accomplish, fulfil, hear and determin all and singular the Premises, in due force, and to the effect aforesaid,

said, after your good Discretions. And all such as ye shall find negligent, gain-saying, or rebelling in the said Works, Reparations or Reformations of the Premises, or negligent in the due Execution of this Commission, that ye do compel them by Distress, Fines and Amerciaments, or by other Punishment, Ways or Means, which to you, or six of you, whereof the said A. B. and C. shall be three, shall seem most expedient for the speedy Remedy, Redress and Reformation of the Premises, and due Execution of the same. And all such things as by you shall be made and ordained in this behalf, as well within Liberties as without, that ye do cause the same firmly to be observed, doing therein as to Justice appertaineth, after the Laws and Statutes of this Realm, and according to your Wisdoms and Discretions.

XI. Save always to us such Fines and Amerciaments as to us thereof shall belong. And we also command our Sheriff or Sheriffs of our said County or Counties of *Bedfordshire* that they shall cause to come before you, or six of you, of which A. B. and C. shall be three, at such Days and Places as ye shall appoint to them, such and as many honest Men of his or their Bailiwick, as well within the Liberties as without, by whom Truth may best be known, to enquire of the Premises: Commanding also all other Ministers and Officers, as well within Liberties as without, that they and every of them shall be attendant unto you in and about the due Execution of this our Commission. In Witness whereof we have caused these our Letters to be made Patent. Witness our self at *Westminster* the Day of *June* in the *Year* of our Reign.

XII. Here every Person named a Commissioner, as soon as he shall have notice thereof, shall effectually put his diligence and attendance thereunto: Howbeit, he shall not put the Commission in Execution before such time as he shall (before the Lord Chancellor, or some others whom he by a *Dedimus* shall thereunto assign, or before the Justices of Peace in the Sessions of the County, to which the Commission is directed) take the Oath following:

XIII. *Ye shall swear, That ye to your Cunning, Wit and Power, shall truly and indifferently execute the Authority to you given by this Commission of Sewers, without any Favour, Affection, Corruption, Dread or Malice, to be born to any manner of Person or Persons: And as the Case shall require, ye shall consent and endeavour your self for your part, to the best of your Knowledge and Power, to the making of such wholsom, just, equal and indifferent Laws and Ordinances as shall be made and devised by the most discreet and indifferent number of your Fellows, being in Commission with you, for the Redress, Reformation and Amendment of all and every such things as are contained and specified in the said Commission; and the same Laws and Ordinances, to your Cunning, Wit and Power, cause to be put in Execution, without Favour, Meed, Dread, Malice or Affection, as God you help and all his Saints.*

XIV. All Statutes of Sewers heretofore made are confirmed.

XV. The Commissioners have power to make and ordain Laws, Ordinances and Decrees, and all and every thing mentioned in their Commission, according to the true meaning thereof, and the same to reform, repeal, amend and make new, as need shall require.

XVI. If any Person assessed to any Lot or Charge for any Lands, Tenements or Hereditaments within the Limits of any Commission, do not pay the same, according to the Ordinance of the Commissioners, by reason whereof the said Commissioners decree the same Lands, Tenements or Hereditaments from the Owner or Owners thereof, and their Heirs, to any other for Years, Life or in Fee, for the Payment of the said Lot or Charge; every such Decree and Ordinance by them made, ingrossed in Parchment, and certified into the Chancery, under their Seals, (with the Kings Assent thereunto also had) shall bind all such Person or Persons having any Estate in the Premises in Use, Possession, Reversion or Remainder, their Heirs and Feoffees, and shall not be otherwise reformed than in Parliament.

XVII. The Kings Lands, Tenements and Hereditaments shall be as liable to the Laws, Ordinances and Decrees of the Commissioners, or any six of them, as those of any other.

XVIII. If a Commissioner not sworn, as aforesaid, or being sworn, and not having Lands, Tenements or Hereditaments to his own Use, in Fee or for Life, worth 40 Marks *per annum*, besides Reprizes (except Resiant, and Free of a Corporation, and having Moveables worth 100 *l.* or else an utter Barrister) do attempt to execute the said Commission, he shall Forfeit for every time so doing 40 *l.* to be divided between the King and the Prosecutor.

XIX. Avowry and Justification of a Distress taken, or of any other Act done, by reason of the said Commission, shall be made without any express Rehearsal of any other Matter contained in this Act, or any Commission, Laws, or Ordinances thereupon made; whereupon the Plaintiff shall be admitted to reply, that the Defendant did take the said Distress, or did any other Act or Trespass of his own Wrong, and thereupon the Issue shall be tried by the Verdict of twelve Men, and not otherwise; and upon the Trial, the whole Matter on both parts shall be given in Evidence. And here, if the Verdict pass for the Defendant, or the Plaintiff be Nonsuit, the Defendant shall recover his treble Damages and Costs, to be assessed by the same Jury, or a Writ to enquire of Damages, as the Cause shall require.

XX. The Commissioners shall have for their Pains 4 *s.* a Day, and the Clerks 2 *s.* a Day, out of the Taxes aforesaid, &c. Also the Commissioners, or any six of them, have power (at their Discretions) to allow out of the said Taxes, more to the Clerk, for Writing Books and Process; and to Collectors and others that take Pains in the due Execution of the same Commission.

XXI. When

XXI. When

XXI. When any such Commission is directed for the Reformation of any thing within the Dutchy of *Lancaster*, the Commissioners shall be named by the Lord Chancellor, Lord Treasurer, the two Chief Justices, and the Dutchy, or any three of them, whereof the Lord Chancellor, and the Chancellor of the Dutchy are to be two: And in this Case two Commissions shall issue forth, *viz.* one under the Great Seal, and the other under the Seal of the Dutchy.

XXII. The Fees for every such Commission shall be 2 s. 6 d. to the King for the Seal, and 5 s. to the Clerk for Writing and Inrolling it, and no more.

XXIII. A Commission of Sewers shall continue in force but three Years from the *Teste*, and the King (by a *Superfedeas* out of the Chancery) may discharge any Commission or Commissioners at his pleasure.

XXIV. The Laws, Decrees or Ordinances of the Commissioners shall continue no longer in force than their Commission, unless they be engrossed in Parchment, and certified under their Seals into the Chancery, and the Kings Assent be obtained thereunto.

XXV. When any such Commission is directed into *Wales*, and any other County Palatine, two Commissions shall issue out, *viz.* one under the Great Seal, and the other under the Seal of such County Palatine, in like manner as is above ordained for the Dutchy of *Lancaster*.

XXVI. The Kings Assent aforesaid shall be certified into the Chancery under his Privy Seal without Fee, only the Clerk shall have 2 s. for writing the Certificate, and not above.

XXVII. The Chancellors of the Principality of *Wales*, or any other County Palatine, having the Custody of the Seal there, upon Request made, and upon sight of Commission under the Great Seal, may thereupon make out another under the Seal of such County Palatine, according to the Tenor of the Kings Commission, and also to the Commissioners therein named, except within the Dutchy of *Lancaster*, for which the Provision aforesaid shall be observed.

XXVIII. Stat. 25 H. 8. 10. None shall be compelled to be sworn, or to sit, or travel in the Execution of any Commission of Sewers, unless he be dwelling within the County whereof he is assigned a Commissioner.

XXIX. If any Commissioner, being required by any having Authority by the Kings Writ, or otherwise, to give him the Oath provided by 23 H. 8. 5. shall refuse to take it, upon such Refusal or Contempt done in Chancery, or returned thither with the said Writ, he shall lose five Marks for every such Contempt, unless he alledge sufficient Cause in Chancery the same Term wherein such Return is made, for his Excuse and Discharge in that behalf.

XXX. Stat. 3 & 4 E. 6. 8. The Statute of 23 H. 8. 5. is made perpetual, in such manner as it may stand with the Sequel and Additions hereafter mentioned.

XXXI. All Sums of Money rated by Commission of Sewers upon any of the Kings Lands, shall be liable by Distress or otherwise, as may be done in the Lands of other Persons; and Acquittances under the Hand of such Collector or Receiver as shall be appointed by the Commissioners, or any six of them, shall be a sufficient Discharge as well to the Tenants of the Kings Lands, as also to the Receiver, Auditor or other Officer, for the Allowance of the said Rates to such Tenants.

XXXII. Like Fees shall be paid for Commissions and *Dedimus potestatem* under the Dutchy Seal, as are paid for them obtained under the Great Seal.

XXXIII. A Commission of Sewers shall endure five Years, unless in the mean time it be superseded.

XXXIV. Stat. 1 M. Sess. 3. cap. 11. The Statute of 23 H. 5. and all Commissions of Sewers shall extend and give Authority, that the Commissioners therein named for the County of Glamorgan, or six of them, (whereof three to be of the *Quorum*) shall by this Act, and the said Statute of H. 8. and Commission, have Power to make Laws, Ordinances and Decrees within the said County, for the Redress and Saving of Grounds there from Hurt and Destruction by reason of Sand rising out of the Sea, and driven to Land by Storms and Winds, as they may do by the said former Act and Commission, for avoiding the outrageous Course and Rage of the Sea and other Waters.

XXXV. Stat. 13 El. 9. All Commissions of Sewers shall continue in force for ten Years after the Date thereof, unless they be repealed by a new Commission, or *Supersedeas*.

XXXVI. All Laws, Ordinances and Constitutions duly made according to the Statute of 23 H. 8. 5. and written in Parchment indented, under the Seals of the Commissioners, or six of them, (whereof one part shall remain with the Clerk of the Commission, and the other in such place as the Commissioners, or six of them shall appoint) shall without any Certificate to be made into the Chancery, and without the Kings Assent, continue in force, notwithstanding any Determination of such Commission by *Supersedeas*, until the same Laws, Ordinances and Constitutions shall be altered, repealed, or made void by Commissioners afterwards assigned.

XXXVII. After the end of Ten Years next after the *Teste* of a Commission, all Laws, Ordinances and Constitutions made by virtue thereof, and written in Parchment, indented and sealed as aforesaid, shall, notwithstanding such determination of the Commission, continue in force one whole Year after the said ten Years; during which time, the Justices of Peace of the County or Counties whither it is directed, or six of them (two *Quorum*)

have

have power to execute such Commission and Law, &c. as fully as Commissioners themselves, unless in the *interim* a new Commission be sent forth.

XXXVIII. No Farmer for Years of any Lands, &c. lying within the Limits of the Commission (which shall be chargeable with any Laws, &c. made by virtue of any such Commission wherein he shall be a Commissioner) not having any Estate of Freehold in England worth 40 *l. per annum*, shall have any power to sit or intermeddle with any such Commission during the time he shall be Farmer, and not have Freehold, as aforesaid, but every such Commission as to him only shall be adjudged void.

XXXIX. There shall be no Certificate or Return of the Commission, or of any of their Laws, Ordinances or Doings, by virtue thereof.

XL. The Clerk of the Commission shall yearly Estreat all Issues, Fines, Penalties, Forfeitures and Amerciaments due and answerable to the Queen, her Heirs and Successors, and shall yearly deliver them into the Exchequer, (as Justices of Peace ought to do by virtue of their Commission) in pain of 5 *l.*

XLI. Provided, That the abovesaid Farmer may act in the Commission as concerning all other Lands, save only the Lands whereof he is so Farmer, as aforesaid.

XLII. Stat. 3 Jac. 1. 14. All Walls, Ditches, Banks, Gutters, Sewers, Gates, Causeys, Bridges, Streams and Water-courses, within two Miles of London, having their Fall into *Thames*, shall be subject to the Commission of Sewers, and to all Statutes made for Sewers, and to all Penalties in the said Statutes contained.

 Sheep.

* I. Stat. 3 H. 6. 2. None shall transport Sheep beyond Sea, without the Kings Licence, in pain to forfeit them, or the Value thereof.

* II. Stat. 25 H. 8. 13. None shall keep in his own Possession at any one time above Two thousand Sheep, in pain to forfeit for every Sheep kept above that number 3 *s. 4 d.* to be prosecuted for a Subject within one Year, and for the King within three. But here, Lambs shall not be accounted as Sheep till *Midsummer* Twelve-month after their Fall.

III. If any happen to have more Sheep than Two thousand, by reason of any Executorship or Marriage, they shall not be impeached by this Law, so that within one Year after they put off so many, that at the end of that Year they may not have above Two thousand: Neither shall a Child during his Nonage (nor any Person for him) be endamaged by this Act, which Child shall have by Legacy above Two thousand Sheep given him.

IV. Justices of Peace have power to hear and determin the Offences committed against this Act, but shall not take a less Fine than is limited by the same.

V. Every Temporal Subject may keep upon his own Demesnelands as many Sheep as he will, or for the Maintenance of his House, above the number of two thousand, notwithstanding this Act.

VI. How Folds, Courtes and Quillets of Lands in *Norfolk* and *Suffolk* shall be used, and to which Quillets this Statute shall extend. See the Statute at large.

VII. A thousand of Sheep (meant by this Statute), shall be accounted after the rate of Sixscore to the Hundred.

VIII. None shall take to Farm above two Farms together, and they are to be situate in the same Parish where he dwells, in pain to forfeit 3 s. 4 d. for every Week he takes the Profits of them.

IX. Spiritual Persons shall keep Sheep as they have used to do, notwithstanding this Act.

Sheriffs.

* I. Stat. *De finibus levatis*, cap. 2. 27 E. 1. Sheriffs shall not be charged with any Issues to be levied, nor shall levy any, before they pass out of the Exchequer, being there delivered by the Efstreats of the Justices, in which Efstreats every Head shall be charged for Issues forfeited, like as of Amerciaments.

II. If the Sheriff will charge himself with the Issues of any Recognisor, Pledge or Mainpernor, who is not able to pay them, the Sheriff shall be charged therewith in the Exchequer.

III. Sheriffs shall make Tallies of all Money received by them or their Officers, in pain of great Forfeitures: and shall not return any Mainpernors, Jurors, or others, except (according to the Tenor of the Kings Writ) they be lawfully impanelled; neither shall they return any Freemen as Pledges without their Consent.

IV. A Baron and Clerk of the Exchequer shall be sent once every Year through every County of *England*, to enquire the Names of such as have paid the Green-wax that Year, and shall also view all such Tallies, and inrol them, and shall hear and determin Complaints made against Sheriffs and their Clerks and Bailiffs that shall do contrary to the Premisses, and the Offenders shall be grievously punished.

V. Artic. super Chart. 8. 28 Eliz. 1. The People of every County shall have Election of their Sheriff, where the Shrievalty is not of Fee.

VI. Artic. super Chart. 13. 28 E. 1. The Commons of every County shall chuse such Sheriffs as shall not charge them, nor put any Officer into Authority for Rewards or Bribes, nor lodge

too oft in one place, neither yet with poor Persons, or Men of Religion.

VII. Stat. *Of Sheriffs*, 9 E. 2. Sheriffs shall be assigned by the Chancellor, Treasurer, Barons of the Exchequer and Justices; and in the absence of the Chancellor, by the Treasurer, Barons and Justices.

VIII. None shall be Sheriff, except he have sufficient Land in the County where he is Sheriff, to answer the King and his People.

IX. No Steward or Bailiff to a great Lord shall be Sheriff, except he be out of Service, so that he may attend to execute his Office for the King and his People.

X. Hundreds also (both the King's and others) shall be kept by convenient and able Persons, having sufficient Lands within the same Hundred, or in the County where the Hundred is; and they shall be leased to such Persons at reasonable Rents, to the end they may not extort upon the People. But no Sheriff, or Hundreder shall lease their Office to any other in Farm, or otherwise.

XI. Execution of Writs that come to the Sheriffs, shall be done by Hundreders sworn and known in full County, and not by any other, unless such Hundreders be in default, and then Execution shall be done by others, meet and sworn, so as the People may know to whom to sue such Executions; saving always Return of Writs to them that ought to have them.

XII. Stat. *De attinſtis*, 13 E. 2. *Vide Raſtal*, *Sheriffs* 5. When Sheriffs, and other Ministers, being impleaded in the Exchequer (for receiving the King's Debts by Tallies or Acquittances, and not acquitting the Parties thereof in that Court) are so far gone in Plea, that the great Distress is returned against them, and they come in then not to answer, then shall issue out another Distress returnable at a certain Day, by which Writ Proclamation shall be made in full County, that the Defendant appear at the Day, and acquit the Debt for which he made such Tally or Acquittance: At which Day if he come not, and the Writ be returned, and the Proclamation certified, he shall be holden as convict, and the Debt shall be taken of him as of Debt recovered in the King's Court, and Damages shall also be awarded to the Plaintiff at the Discretion of the Barons. Howbeit, none shall be hindred by this Statute to complain of Sheriffs and other Ministers, when they shall be found in the Exchequer, to make them answer there, as hath been formerly used.

XIII. Stat. 2 E. 3. 4. The Statute of 9 E. 2. is confirmed, and Sheriffs and Bailiffs of Fee shall cause their Counties and Bailiwicks to be kept by such as have Lands therein.

XIV. Stat. 2 E. 3. 12. From henceforth Hundreds and Wapentakes shall be again adjoynd to the Counties, and shall never hereafter be given or severed therefrom.

XV. Stat.

XV. Stat. 4 E. 3. 9. Sheriffs, Escheators, and Bailiffs of Hundreds and Franchises shall have sufficient in the Places where they are Ministers, whereof to answer the King and his People in any case Men complain against them.

XVI. Stat. 4 E. 3. 10. Sheriffs and Goalers shall receive and safely keep such Thieves and Felons as shall be delivered them by Constables or Townships, without taking any thing for such Receipt; and the Justices assigned to deliver the Goal, shall have Power to hear such Complaints, and to punish such Sheriffs and Goalers as they find guilty herein.

XVII. Stat. 4 E. 3. 15. Sheriffs shall Let their Hundreds and Wapentakes for the old Farm, and not above: And the Justices assigned shall have Power to enquire of Sheriffs, and punish them, if they shall find them guilty herein.

XVIII. Stat. 4 E. 3. 4. None shall be Sheriff, Under-Sheriff, Escheator, Bailiff of Franchises, Wapentakes, Hundreds or Tythings, unless he have sufficient Lands in the County, whereof to answer the King and his People, if any will complain.

XIX. Stat. 14 E. 3. 7. No Sheriff shall continue in his Office above one Year, and then another convenient Man shall be chosen in his place (having Lands sufficient in his Bailiwick) by the Chancellor, Treasurer and Chief Baron, taking to them the Chief Justices, if they be present: And this shall be done yearly at the Exchequer the next Day after *All Souls*.

XX. Stat. 14 E. 3. 9. All Wapentakes and Hundreds which be severed from the Counties, shall be rejoined to them again: The Sheriffs also shall hold the same in their own Hands, and put in such Bailiffs and Hundreders (having Lands in the Bailiwicks and Hundreds) for whom they will answer.

XXI. If Sheriffs Let any Hundreds, Bailiwicks or Wapentakes to Farm, they shall Let them at the ancient Farms, without any increase upon them: And the King and his People shall be hereafter served with sufficient Bailiffs, Hundreders and their Under-Bailiffs, without employing Out-riders, who have heretofore in divers Counties notoriously grieved the People: Neither shall any Bailiff errant be in any County, but only where they have used to be in the time of the King's Grandfather, and but one Bailiff errant in one County.

XXII. All such as have Bailiwicks, or Hundreds in Fee, shall put in such Bailiffs for whom they will answer; and if they Let them to Farm, they shall take but the old Farm without any increase.

XXIII. The Justices of both the Benches, the Barons of the Exchequer, and Justices assigned, shall enquire after, and punish the Offenders of this Ordinance at their Discretion, according to Law and Reason.

XXIV. If

XXIV. If the Sheriffs or the Farmers be found in Default, and be thereof attainted, the Wapentakes and Hundreds shall be seized into the King's Hands, and by the Justices Let to others: Such Officers likewise shall be imprisoned, and there remain until they make Fine and Ransom to the King according to the quantity of the Trespass; and yet they shall answer the King the whole Farm.

XXV. Lords having Hundreds or Wapentakes in Fee, shall place therein sufficient Bailiffs to answer the King and his People: And if their Bailiffs offend against the Ordinance, such Bailiffs shall be called to answer; whereof if they be attainted, they shall have such Punishment as the Law requireth, and shall be also put out of their Places, and others put in their Places by the said Law.

XXVI. Stat. 28 E. 3. 7. No Sheriff shall continue in his Office above one Year.

XXVII. Stat. 28 E. 3. 9. No Writ shall be hereafter directed to the Sheriff to charge a Jury to indict any.

XXVIII. Stat. 42 E. 3. 9. *pars inde*. No Sheriff, or Under-Sheriff, or Sheriff's Clerk, shall continue in their Office above one Year.

XXIX. Stat. 1 R. 2. 11. None, having been Sheriff for one whole Year, shall be Sheriff again within three Years then next ensuing, if there be others sufficient in the County to answer the King and his People.

XXX. Stat. 1 H. 4. 11. Because Sheriffs did much oppress the People, for that they were charged with the ancient Farms of the Counties, whereof a great part had been granted to Lords and others; hereafter the Sheriffs, upon their Accompts in the Exchequer, shall have Allowance (by their Oaths) of the Issues of their Counties: And if from henceforth any Sheriff extort upon the People, and be thereof attainted, he shall be punished at the King's Will.

XXXI. Stat. 4 H. 4. 5. Every Sheriff of *England* (*terra demurrant*) shall abide in proper Person within his Bailiwick for the time that he shall be such Officer; he shall not Let his Bailiwick to Farm; and he shall be sworn to do the same in special, amongst other Articles comprised in his Oath.

XXXII. Stat. 1 H. 5. 4. They who have been Sheriffs Bailiffs for one Year, shall not bear that Office by three Years next following, except in Sheriffficks inheritable.

XXXIII. No Under-Sheriff, Sheriff's Clerk, Receiver, or Sheriff's Bailiff, shall be Attorney in any of the King's Courts so long as he bears such Office under the Sheriff.

XXXIV. Stat. 4 H. 5. 2. Sheriffs of *England* shall have Allowance upon their Accompts (by their Oaths) of things casual, as of Estreats that be not in Farm or Demand: but for all things that run in yearly Farms or Demands, they shall be charged to the King, as in times past.

XXXV. Stat.

XXXV. Stat. 23 H. 6. 8. The Statute of 14 E. 3. 7. 42 E. 3. 9. and 1 R. 2. 11. shall be duly observed, except by Officers in London, and where any hath Freehold or Inheritance in the Sheriffs Office.

XXXVI. No Sheriff, or any of his Under-Officers, (except before excepted) shall act contrary to the said Statute, in pain to forfeit yearly 200 l. And every Pardon granted them in that behalf, or for the said Forfeiture, and every Patent made for that purpose, shall be void, notwithstanding the Clause or Word of *Non obstantes* be inserted in any of them: And whosoever shall hereafter act by any such Patents, shall be for ever after disabled to bear the Office of Sheriff in England.

XXXVII. The Forfeiture abovesaid is to be divided betwixt the King and the Prosecutor.

XXXVIII. Stat. 23 H. 6. 10. No Sheriff shall Let to farm his County or Bailiwick, neither shall he, his Under-Sheriff, or any other Bailiff, return upon Inquest any Bailiff, Coroner, Steward or any Servant of theirs; neither shall they take any thing for arresting, or for omitting to arrest, save only the Fees that follow, viz. for the Sheriff 20 d. for the Bailiff that makes the Arrest 4 d. and for the Goaler (when the Party is committed) 4 d. Neither shall any Sheriff, Under Sheriff, Sheriffs Clerk, Steward or Bailiff of Franchise, Servant, Bailiff or Coroner take above 4 d. for the Copy of a Panel.

XXXIX. Sheriffs and other Officers shall Let to Bail Persons by them arrested upon reasonable Sureties, having sufficient within the County: (Persons in Ward by Condemnation, Exemption, *Capias utlagatum*, or *excommunicatum*, Surety of Peace, or committed by Command of the Justices, and Vagabonds refusing to serve, only excepted.)

XL. The said Officers shall take no Bond of any arrested Person, but for Appearance, and to themselves only; and shall not take for it more than 4 d. And Bonds otherwise taken (*colore officii*) shall be void.

XLI. Sheriffs shall make Deputies in the King's Courts at Westminster, or receive Writs to be delivered unto them.

XLII. Sheriffs, Under-Sheriffs, Clerks, Bailiffs, Goalers, Coroners, Stewards, Bailiffs of Franchises, and all other Officers which do contrary to this Act, shall forfeit for every such Offence treble Damages to the Party grieved, and besides 40 l. to be divided betwixt the King and the Prosecutor.

XLIII. Justices of Assize of both the Benches, and of Peace, have Power to hear and determin such Offences.

XLIV. If the Sheriff return a *Cepi corpus*, or *Reddidit se*, he shall be chargeable to have the Body of the Party ready at that Day of the Return mentioned in the Writ.

XLV. The Warden of the Fleet, or of the Goal of the King's Palace at Westminster, shall not be prejudiced by this Ordinance.

XLVI. Stat.

XLVI. Stat. 1 E. 4. 2. Sheriffs shall deliver all Indictments and Presentments taken in their Turns unto the Justices of Peace at their next Sessions, in pain of 40*l.* who shall arraign, deliver, make Process, and proceed thereupon, as if they were taken before them, and shall deliver indented Estreats of the Fines to the Sheriff, to be levied to his own use. And here, if the Sheriff levy any Fine, or commit any to Prison by colour of any such Indictment or Presentment, or otherwise than by Warrant from the Justices, as aforesaid, he shall forfeit 100*l.* Howbeit, Sheriffs of *London* shall not be restrained by this Act, nor such as have had Fines formerly granted unto them.

XLVII. Stat. 12 E. 4. 1. If a Sheriff execute or return any Writ, Precept or Warrant, into any of the King's Courts in *Michaelmas* Term after the sixth Day of *November*, (being commonly the Day of the Date of their Patent) and before any Writ of Discharge is delivered unto him, he shall not thereby incur the Penalty of 200*l.* ordained by the Statute of 23 H. 6. 8. albeit he doth execute his Office after the Returns of *Craftino Martini*, *Ostabis Martini*, and *Quindena Martini*, after his Year is out.

XLVIII. Stat. 17 E. 4. 6. Every old Sheriff may execute his Office during *Michaelmas* and *Hillary* Terms, if he have not before a Writ of Discharge, without danger of incurring any Forfeiture or Pain in respect thereof.

XLIX. Stat. 11 H. 7. 15. No Sheriff, Under-Sheriff, or Sheriff's Clerk, shall enter into the County Court any Plaint in the absence of the Plaintiff or his Attorney, nor have above one Plaint for one Cause, in pain of 40*s.* to be divided betwixt the King and the Prosecutor.

L. A Justice of Peace, upon Complaint made, hath Power to examine the abovesaid Officers and Plaintiffs concerning the Premises; and finding any of the same Officers guilty, shall within three Months after certifie that Examination into the Exchequer, in pain of 40*s.* upon which Examination the said Officers shall be convicted to pay the abovesaid Forfeiture of 40*s.* without farther inquiry.

LI. The Defendant in the County Court shall have lawful Summons, and if the Bailiff be therein found guilty, he shall forfeit 40*s.* And here also Examination and Certificate shall be made by a Justice of Peace, as aforesaid.

LII. Before the Sheriff issue forth any Estreats out of the County Court, two Justices of Peace (1 *Quorum*) shall view them; and there being two parts of them indented and sealed by the said Justices and Sheriff, one of them shall remain with the Justices, and the other with the Sheriff. And here the Officer that collects them, shall make Oath before the said Justices, to levy no more than what is contained in them, in pain of 40*s.* who may be convicted of that Offence by the Examination of one Justice of Peace, as aforesaid.

LIII. The

LIII. The Justices of Peace which are to have the Controlment, the Sheriff and his Estreats shall be named at *Michaelmas* Session by the *Custos Rotulorum*, or (in his absence) by the eldest of the *Quorum*. And the said Justices of the Peace, upon Information of the Party grieved, may make out like Process against the Offenders, as in Action of Trespas.

LIV. Stat. 6 H. 8. 18. The Under-Sheriff, and all other Officers of Sheriffs, may continue and execute their Offices within the County of the Town of *Bristol* from Year to Year, in such sort as the like do in *London*, without any Forfeiture, notwithstanding the Statutes of 42 E. 3. 9. and 23 H. 6. 8.

LV. Stat. 34 H. 8. 16. Every Sheriff, his Under-Sheriff or Deputy, shall at his Day of Prefixion in the Exchequer, immediately after he is sworn to Accompt, make also Oath to deliver into that Court Schedules containing the particular Sums of Money which he hath levied, or might have levied, and as near as may be, what Persons or Lands ought to be charged therewith; and after such Schedules delivered, cast and rated, that Court shall have Power to make him Allowance of so much Money as the Farms wherewith he is charged amount to more than the said Particulars; and for such Parcels as they so amount to more, the Court shall issue out Process for the Recovery thereof for the King's use.

LVI. Concerning Sums respited to the Sheriffs upon their Petitions, they shall from henceforth (upon their Oaths) be discharged thereof, and Process shall issue out against the Debtors.

LVII. Sheriffs (upon their Accompts) shall have Allowance for executing the King's Writs and Summons, levying of Estreats, coming to the Exchequer to make the Profers and View of their Accompts, and for the Expences at the Assizes, Goal-deliveries, *Oyers* and *Terminers*, and the like; so as the total of all such Allowances to the Sheriff exceedeth not 34*l.* 6*s.* 8*d.*

LVIII. Stat. 2 & 3 E. 6. 4. The said Act of 34 H. 8. 16. shall be clearly void to all intents and purposes, other than such as are hereafter in this Act specified.

LIX. All Sheriffs shall have such Tallies of Reward, and other Allowances as they had before the making of the Statute of 34 H. 8. 16. Also to be at their Election to Accompt, and all other things to do according to the said former Act: And every Sheriff that so shall accompt, and take no Tally of Reward, shall be entreated in the Exchequer in all things as if the said former Act were in force.

LX. Tallies of Reward (without any Warrant) shall be stricken as they were before the making of the said Act, and shall be delivered to the Sheriff or his Attorney without any farther Charge.

LXI. Sheriffs of Counties where no Tallies of Reward have used to be stricken, shall be allowed their Expences upon Petition,

tion, with a Bill thereof thereunto annexed, being verified by the Oath of the Sheriff, his Under Sheriff or Attorney.

LXII. Sheriffs who take no Tallies of Reward shall be discharged (upon their Accompts) of all such Farms, Goods, Chattels, Profits, Casualties, and Sums of Money as they cannot levy or come by: and all other Sheriffs who take Tallies of Reward, shall also be discharged of all such Profits and Sums as aforesaid, except only of Vicontiels wherewith they shall be chargeable, as they were before the making of the said former Act.

LXIII. Sheriffs also shall have Allowance (in their Accompts) of all such Sums of Money as they shall make true Petition of, for such Possessions as are come to the King's Hands, by unity of Possession, or otherwise, out of which any part of such Vicontiels were leviable.

LXIV. Provided, That every Sheriff (his Under-Sheriff or Deputy) shall, at his Day of Prefixion in the Exchequer, immediately after he is sworn to Accompt, make also Oath to deliver into that Court Schedules containing the particular Sums of Money which he hath levied, or might have levied, and (as near as may be) what Persons or Land ought to be charged therewith: And after such Schedules delivered, cast and rated, that Court hath power to make him Allowance of so much Money as his Charges amount to more than the said Particulars; and for such Parcels as they so amount to, the Court shall issue out Process, or take some other fit Course for the Recovery thereof to the King's use. And if they employ any Commissioners to enquire after the same, they shall allow them their reasonable Costs and Charges at their Discretions.

LXV. Stat. 2 & 3. E. 6. 34. Sheriffs of *Nortumberland* shall enter into Recognizance to be accomptable for their Office, as other Sheriffs do, in pain of 100*l.* Howbeit they shall not be chargeable but only for their own Year.

LXVI. Stat. 1 M. Par. 1. Sess. 2. Cap. 28. No Sheriff shall be Justice of Peace during his Shrievalty, notwithstanding the Statute of 1 E. 6. 7. (*which see in* Discontinuance of Process:) and all Acts then done by him as Justice of Peace, shall be void.

LXVII. Stat. 8 Eliz. 16. Whereas there hath been heretofore but one Sheriff chosen for each two Counties of *Surry* and *Sussex*, *Essex* and *Hertford*, *Somerset* and *Dorset*, *Warwick* and *Leicester*, *Nottingham* and *Derby*, *Oxon* and *Berks*, hereafter there shall be one Sheriff chosen for each of the said Counties, who shall be accomptable, and used in the order of his Accompt, and all other things and Allowances in the Exchequer, and in all other Courts and Places, as is used for Sheriffs in the like Places; and the Profers of the said Counties shall be forthwith severed by the said Court and the Officer thereof, and also the Tallies of Reward divided accordingly.

LXVIII. The

LXVIII. The Barons of the Exchequer calling to them the Officers of the Treasurers Remembrancer, shall order the speedy Payment of such Creation-Money, Fees, Annuities and other Sums of Money, as ought to be paid by the said Sheriffs.

LXIX. Provided, That the said Sheriffs shall pay for Fees but one half of what was formerly paid by them, when they were Sheriffs of the two Counties.

LXX. Stat. 13 El. 22. The Statute of 8 El. 16. is made perpetual, except for the Counties of *Surry* and *Suffex*.

LXXI. Stat. 27 El. 7. No Sheriff, Coroner, or other Person having Return of Writs, shall return any Juror dwelling out of a Liberty, without the true Addition of the Place of his abode at the time of such Return, or some other Addition by which the Party returned may be known; nor any Juror within a Liberty, with other Addition than shall be given him by the Bailiff thereof and his Deputy, under his or their Hand.

LXXII. No Bailiff of a Liberty or his Deputy shall return any Juror, or deliver to the Sheriff or his Deputy the Names of any to be returned upon any Panel or Jury, without the true Addition, under his or their Hand, of their abode at the time of such Return, or within one Year before, or some other Addition whereby the Party may be known; neither shall any Issues go forth against any Person otherwise returned in the original Panel or *Tales*.

LXXIII. No Sheriff, Bailiff or other, shall levy any Issues so estreated of any other Person, than of such as by the Estreat ought of Right to be charged therewith; in pain that every Clerk who shall write or deliver, or procure such Estreat to be delivered or put in ure, and every other Person offending contrary to the meaning of this Act, shall forfeit five Marks to the Queen, and as much to the Party grieved, to be recovered by Action of Debt, &c.

LXXIV. Justices of Oyer and Terminer, Assize and Peace, have Power to hear and determin the Offences aforesaid, and to issue forth Proccels for levying of the said Forfeitures.

LXXV. Stat. 27 El. 12. Every Under-Sheriff before he intermeddles with his Office, shall before one of the Justices of Assize, or the *Custos Rotulorum* of the County, or two Justices of the Peace there, (*1 Quorum*) take the Oath of Supremacy, (*which see in Crown*) and also the Oath hereafter written, in pain to forfeit treble Damages to the Party grieved, if he commit any Act contrary to the said Oaths, or either of them.

LXXVI. The Form of the Oath is as followeth:

LXXVII. I A. B. shall not use nor exercise the Office of Under-Sheriff corruptly, during the time that I shall remain therein; neither shall or will accept, receive or take by any colour, means or device whatsoever, or consent to the taking of any manner of Fee or Reward,

ward of any Person or Persons; for the impanelling or return of any Inquest, Jury or Tales, in any Court of Record for the King, or betwixt Party and Party, above Two Shillings, or the Value thereof, and such Fees as are allowed and appointed for the same by the Laws and Statutes of this Realm; but will according to my Power, truly and indifferently, with convenient speed impanel all Jurors, and return all such Writ or Writs touching the same, as shall appertain to be done by my Duty or Office, during the time that I shall remain in the said Office. So help me God.

LXXVIII. No Bailiff of Franchise, Deputy, or Clerk of a Sheriff or Under-Sheriff, shall intermeddle with their several Offices before they have taken the said Oaths aforesaid, (altering only the Terms of Office) in Pain to forfeit 40 *l.* to be divided betwixt the King and the Prosecutor.

LXXIX. Justices of Assize, and Justices of Peace in Sessions, have Power to hear and determine the Defaults and Offences aforesaid, and upon Conviction to award Process accordingly.

LXXX. Stat. 29 *El.* 4. No Sheriff, Under-Sheriff, Bailiff of a Liberty, or any of their Deputies, shall either directly or indirectly, take more for serving an Extent, or Execution, than after 12 *d.* for every Pound under 100 *l.* and 6 *d.* for every Pound above 100 *l.* in Pain to forfeit treble Damages to the Party grieved, and besides 40 *l.* betwixt the Queen and the Prosecutor.

LXXXI. This Act shall not extend to Fees of Executions within Cities or Corporations.

LXXXII. Stat. 43 *El.* 6. If any Sheriff or other, taking upon him to break Writs, do make any Warrant for Summons, or upon any Writ, Process or Suit, or for any Arrest or Attachment of Body or Goods, against any Persons, to appear in any of the Queen's Courts, (not having the Original Writ or Process warranting the same) upon Complaint thereof to the Justices of Assize of the County where the Offence was committed, or the Judges of the Court out of which the Process issued, the Party so offending, and all Procurers thereof, shall be sent for before the same Justices or Judges by Attachments, or otherwise, and shall be examined upon their Oaths concerning the same.

LXXXIII. If the Offence shall be confessed, or proved by sufficient Witnesses, the said Justices or Judges shall forthwith commit the Offender to the Goal of the County or Court where he shall be examined, from whence he shall not be enlarged until he have paid the Party grieved 10 *l.* and all his Costs and Damages, to be assessed by the same Justices or Judges, and likewise 20 *l.* to the Queen.

LXXXIV. Stat. 21 Jac. 1. 5. A *Quietus est* shall be a sufficient Discharge for a Sheriff, unless he be questioned within four years after the Grant thereof.

LXXXV. Every Officer or Minister that shall send out, or cause to be sent out, any Writ or Process, or by whose default any Writ or Process shall be sent out, contrary to this Act, shall for every such Offence forfeit and pay to the Party grieved 40 l. and his Costs and Damages, to be recovered by Action of Debt, &c.

LXXXVI. Stat. 13 & 14 Car. 2. cap. 21. No Sheriff shall in Assize-time keep a Table for the Entertainment of any, but those of his own Family or Retinue: Nor shall send any Present to any Judge of Assize for his Provision, nor send a Gratuity to any of his Officers or Servants. No Sheriff shall have more than 40 Men-Servants with Liveries attending upon him at the Assizes, nor under 20, in any County in *England*, nor under 12 in *Wales*, on Pain to forfeit for offending in any of the Premises 200 l.

LXXXVII. Nothing before in this Act contained shall extend to the Sheriffs of *London* and *Middlesex*, and the Sheriff of *West-menland*, or any Sheriff of any City and County.

LXXXVIII. The several Remembrancers of the *Exchequer* shall from time to time make true Copies of such Seizures and Inquisitions, as shall be certified into their respective Offices, without certifying the Copy of the Writ or Commission, mentioning only the Date thereof, and shall deliver the Copies attested under their Hands to the Engrosser of the great Roll, before the first day of the next Term after they shall have received them: to which Remembrancers shall be paid 8 d. a Sheet by the Sheriffs, who shall be allowed it upon their Accompts. No Sheriffs shall be charged in Account to answer any Illeivable Seizure, Farm, Rent, Debt, or other Seizure, Farm, &c. not writ in Process to him to be levied, wherein the Persons of whom the Lands out of which, and the Cause for which shall be expressed.

LXXXIX. All Seizures made before the first Year of King *James* the First, now remaining in the Accompts of Sheriffs, and all Seizures and Debts pardoned, are hereby discharged, and shall be left out of the Sheriffs Accompts. No Process shall be written to any Sheriff for levying any Rent, which cannot be explained by the particulars, or hath been unanswered for forty Years. All other dead Farms and Seizures, and all desperate, illeivable and unintelligible Debts, shall be removed into the Exannual Roll, there to remain till revived by Commission.

XC. The Remembrancers shall forthwith enrol and certify to the Engrosser of the great Roll, such Debts as any Sheriff shall be charged with by their respective Retorns of any Process; and of all Fines and Amerciaments which shall be imposed by the Court of *Exchequer* upon any Sheriff for Contempts or Neglects. And such Debts, Fines and Amerciaments

ments shall be delivered by the first Day of the next Term after such Retorns made, or such Fines and Amerciaments imposed; that they may be all charged in the Sheriffs Accompt, and comprehended within his *Quietus est*, on Pain to forfeit 40 l. one Moiety to the King, the other Moiety to the Party grieved.

XCI. No Person shall be assigned to be Sheriff of any County, but such as have Lands within the same, sufficient to answer the King and his People.

XCII. When any Sheriff shall have his *Quietus*, he shall be absolutely discharged, unless called in question within four years. And every Officer and Minister, by whose Default any Writ or Process shall issue contrary to this Act, shall incur the like Forfeitures and Penalties, to be recovered in like manner, as by the Act of 21 Jac. 1. cap. 5. is provided.

XCIII. This Act shall not extend to the Counties of *Chester, Lancaster* or *Durham*, or the Counties of *Wales*, being County Palatines, as to their manner of accompting.

XCIV. This Act shall not extend to enjoin the King's Remembrancer, or the Lord Treasurer's Remembrancer, to deliver to the Engrosser of the great Roll, any Inquisitions or Seizures, but such as have been formerly charged in the Foreign Accompts of Sheriffs, Inquisitions upon Attainders, or other Forfeitures to the Crown, shall be put in Charge as heretofore. Nor shall this Act exclude the King's Remembrancer from writing forth Process of any of the King's Debts, Duties, Outlawries, or other Charge, or Process of *Levari facias* at the Prosecution of any Person, to levy the Issues and Profits of any Lands seized into the King's Hands, or Process of *Venditioni Exponas*, for Goods seized for Debt. No Debt, Duty, Fine, Amerciament or Seizure charged in the great Roll of the Pipe, from any Record, Process or Proceeding made in the Office of the King's Remembrancer, shall be discharged, but by Warrant, Order or Judgment entred in the said Office. And if any Process of Summons of the Pipe shall be awarded for any Debt, &c. and the same not be levied or answered, the Clerk of the Pipe, or Engrosser of the Great Roll, shall the next Term after the Return of such Summons certify the same in a Schedule into the Office of the King's Remembrancer, that further Process may be written forth. This Act shall not be prejudicial to the King's Remembrancer in any ancient and lawful Fees by him claimed.

XCV. This Act to continue to the end of the first Session of the next Parliament, and no longer.

XCVI. Stat. 1 Jac. 2. cap. 17. One Act made in the 13th & 14th Years of King Charles the Second, intituled, *An Act for preventing the unnecessary Charge of Sheriffs, and for Ease in passing their Accompts*, shall be perpetual.

Ships.

I. Stat. 38 E. 3. 8. No Owner of a Ship shall forfeit the same for any small thing put thereinto (without his Knowledge) not customed for.

II. Stat. 5 R. 2. 3. None of the King's Subjects shall export or import any Merchandize, but only in Ships of the King's Allegiance, in Pain to forfeit all Merchandize otherwise conveyed, or the Value thereof, whereof the Finder shall have a third part of the King's Gift.

III. Stat. 6 R. 2. 8. The Statute of 5 R. 2. 3. shall only have place where able and sufficient Ships of the King's Allegiance may be found; otherwise the Merchants may hire other Ships, the said Statute notwithstanding.

IV. Stat. 14 R. 2. 6. *English* Merchants shall freight (within the Realm) in *English* Ships, and not in Ships of Strangers, so as the Owners of such *English* Ships take reasonable for their Freights.

V. Stat. 4 H. 4. 20. *pays inde*. All Merchandize imported and exported shall be charged and discharged in great Sea-Ports, and not in Creeks, and small Arrivals, in Pain to forfeit to the King all Merchandize otherwise charged or discharged, except any Vessel shall be driven into such a small Creek by Tempest.

VI. Stat. 15 H. 6. 8. None shall ship any Wooll, Woolfels, or other Merchandize pertaining to the Staple, but only at the Keys and Ports assigned by the Statute, where the King's Weights and Wools are set.

VII. Every Master of a Vessel, wherein such Merchandize is shipped, shall give good Security to the Customers there, to transport the same to the Staple at *Calais*, and to bring a Certificate thereof from thence; saving to all Merchants of *Jeane, Venice, Tuscany, Lombardy, Florence* and *Catalonia*, and to the Burgesies of *Berwick*, their Liberty formerly granted by Statute.

VIII. Stat. 4 H. 7. 10. No *Gascoign* or *Guien* Wine, or *Thoulouse* Woad, shall be imported into this Realm but in *English* Vessels, in Pain to forfeit the same.

IX. None shall freight in any Strangers Ship any Merchandize, to be imported or exported into or out of this Realm, if he may have sufficient Freight in the same Port, in a Denizen's Ship, in Pain to forfeit all Merchandize otherwise shipped, to be divided betwixt the King and the Seizer.

X. This

X. This Act shall not extend to any Ship (having Merchandize) forced by Tempest into any Port within this Realm, so as the Owner thereof make no Sale of such Merchandize within this Realm, save only for necessary Victual, or repairing of the Ship and Tackle.

XI. Stat. 32 H. 8. 14. *Gascoign* or *Guien* Wines, or *Tholouse* Wood, may be imported into this Realm in any other Ships as well as *English*, notwithstanding the Statute of 4 H. 7. 10.

XII. 1 Eliz. 13. The Statute of 5 R. 2. 3. and 4 H. 7. 10. are made void.

XIII. If any Owner of any Merchandize shall (in the time of Peace) embark or unload any part thereof (Masses, Ruffe, Pitch, Tar, and Corn only excepted) out of, or into any other than an *English* Bottom, he shall pay Custom to the Queen for the same as an Alien.

XIV. No *Englishman* shall cross the Sea with any Hoys or Plats, in pain to forfeit the same, to be divided betwixt the King and the Prosecutor.

XV. Provided, That Merchants at their several Shippings of Cloth or Wooll out of the *Thames* (to be twice in the Year at the most) may embark Merchandize in a Strangers Ship, so long as there are not *English* Ships enough and convenient, to convey such Merchandize into *Flanders*, *Holland*, *Zealand* or *Brabant*, without paying any greater Custom than *Englishmen* use to do : And *Bristol* Men shall do the like, by reason of great Losses lately suffered by them.

XVI. Stat. 5 Eliz. 5. Any Subject may export out of this Realm Sea-fish, &c. without paying Custom for the same. But this Act was expired by the *Queen's Death*.

XVII. None shall set Price, make Restraint, or demand Toll of any Sea-fish imported into this Realm by any of the Queen's Subjects, in pain to forfeit the Value of such Fish so set Price of, restrained or tolled.

XVIII. This Act shall not restrain the Inhabitants of *Hull* to take Toll and Custom, (according as is limited by the Statute of 33 H. 8. 33. which see in *Hull* 1.) Howbeit they shall not take liberty thereby to transport *Herring* or *Salt-fish*.

XIX. No Purveyor shall take any Sea-fish of any that shall take the same in any Subjects Ship, in Pain to forfeit the double Value thereof. Howbeit, Composition-fish (of People travelling into *Ireland*) due to the Queen and other Persons, shall be paid as formerly.

XX. No *Herring* shall be bought of a Stranger, or out of his Bottom, being not sufficiently salted, pickled and casked, in pain to forfeit the same, or the value thereof; except such Vessel be driven in by Shipwrack.

XXI. No Fish, Victual, Wares or Things shall be transported in a Stranger's Bottom from one Port to another within this Realm, in Pain to forfeit the same, or the Value thereof.

XXII. Hoys and Plats may cross the Seas as far as *Cane* in *Normandy*, or Eastward as far as *Norway*, notwithstanding the Statute of 1 *Eliz.* 13.

XXIII. All Cod and Ling shall be brought into this Realm loose, and not in Barrel, in pain to forfeit the same, or the Value thereof.

XXIV. No Wine of the growth of *France*, or any Woad of *Tholouse*, shall be imported into this Realm in any other Vessel than *English*, in Pain to forfeit the same, according to the Statute of 4 *H* 7. 10. Only into *Wales* *Rochel*-Wines may be otherwise imported.

XXV. Owners of Ships, and all others using the Trade of the Sea-fishing or otherwise, and every Gunner and Shipwright may take Apprentices to be bound for 10 Years or under, by Indenture to be enrolled in the same Corporation, if the Master dwell in one; but if not, in the next.

XXVI. So much of the Statute of 5 & 6 *E.* 6. 14. (*which see* in *Forefallers*) and of all other Statutes, as concerns the buying of Sea-fish unsalted, or Mud-fish, or any Wine, Oyl or Salt, to be brought in an *English* Vessel to any Port within this Realm, shall be void.

XXVII. None shall eat Flesh upon Days usually observed as Fish-days, in Pain of 3 *l.* or three Months Imprisonment without Bail. And they that wittingly suffer any such Offence to be done in their House, and do not discover it to an Officer that may punish it, shall forfeit 40 *s.*

XXVIII. These Forfeitures shall be divided into three parts, whereof the Queen shall have one, the Poor of the Parish another, and the Informer the third.

XXIX. Notwithstanding this Act, Licences may be granted upon just Causes on these Conditions following, *viz.* To a Peer or his Lady, if he pay yearly for it to the Poor of the Parish where he dwells 26 *s.* 8 *d.* to a Knight or his Lady, if he pay 13 *s.* 4 *d.* and to any other inferior Person, if he pay 6 *s.* 8 *d.* But here no Licence shall extend to the eating of Beef at any time, or to the eating of Veal betwixt *Michaelmas* and *May-day*.

XXX. The Minister of the Parish may grant a Licence to a sick Person, during the time of his Sickness; and if the Sickness continue above eight days, he shall in the presence of one of the Churchwardens register the same, and have 4 *d.* for the registering of it. But here, if he grant the Licence without just Cause, he shall forfeit five Marks.

XXXI. Wines

XXXI. Wines shall be sold (by Retail) at such Prices as shall be limited by the Queen's Proclamation, with the Assent of such Lords and others, as by the Statute of 18 H. 8. 14. (*which see in Wines*) are Authorized to set Prices on Wines in gross.

XXXII. The Statute of 18 H. 6. 19. (*which see in Captains*) ordained against Soldiers, shall extend to Mariners and Gunners.

XXXIII. These Offences shall be heard and determined as followeth, viz. being committed upon the main Sea, without the Limits of the *Cinque-Ports*, by the Lord Admiral, his Lieutenant, or Deputies, or by Justices of Oyer and Terminer according to the Statute of 28 H. 8. 15. (*which see in Trial*;) but if without any Port, and yet within the Jurisdiction of any of the *Cinque-Ports*, then by the Lord Warden of the *Cinque-Ports*, or his Substitute, or by Justices of Oyer and Terminer, according to the Statute of 28 H. 8. or if in a Port, or elsewhere upon the main Land, then by the Justices of Peace, or other Chief Officers in Sessions, within their several Jurisdictions. And here the Trial may be by the Oaths of twelve Men, or otherwise by Information. And for levying the said Forfeitures, the said Officers and Justices may issue out Process at their Discretion.

XXXIV. The Time limited for the Prosecution of this Action, is for a Subject six Months, and for the Queen a whole Year.

XXXV. Every such Person licensed to eat Flesh, as aforesaid, (except for Sickness, Age, or other Impediment) shall have at his Table for every Dish of Flesh, one Dish of Fish, upon like Pain as for eating Flesh upon Fish-days.

XXXVI. If any shall by preaching, or otherwise, avouch or notifie, that any eating of Flesh, or forbearing of Flesh, is necessary for the saving the Soul, or the Service of GOD, otherwise than as other Politick Laws be, he shall be punished as a Spreader of false News. *Which see in News.*

XXXVII. Fishermen or Mariners shall not be compellable to serve as Soldiers, otherwise than as Mariners, unless for some special Exploit, or to withstand an Invasion, or subdue a Rebellion, or bound so to do by Tenure, Custom or Covenant.

XXXVIII. The Liberties and Rights of others are saved.

XXXIX. Provided, That no Fisherman using the Sea shall be taken by the Queen's Commission to serve as a Mariner at Sea, unless the said Commission be first brought by the Queen's Taker to the two next Justices of Peace, to the end they may chuse and return such sufficient number of able Men as in the same Commission shall be contained.

XL. The Liberties of the *Cinque Ports* and *Great Yarmouth* are saved, other than for buying of Strangers, and taking of Toll, as the same are before prohibited.

XLI. This Act shall not prejudice the Authority or Jurisdiction of the Lord Warden of the *Cinque Ports*.

XLII. Wine may be imported into the Isle of *Man* and *Chester* in Strangers Bottoms, not exceeding an Hundred Ton in one Year in each of them, notwithstanding this Act. The like may also be done in all other Ports of *Wales* (besides the *Rochel* Wines before permitted) so as the quantity exceed not an hundred Ton in one Year, as before.

XLIII. The Queen's Duties for the Three hundred Ton (mentioned in the last Clause) are saved.

XLIV. The Lord Admiral or his Substitutes, shall have no greater Authority than they had before this Act, save only for punishment of Offences, as aforesaid.

XLV. Stat. 8 *Eliz.* 3. None shall transport Sheep beyond Sea, in Pain to forfeit all his Goods, to suffer one years Imprisonment, and to have his Hand cut off in some open Market; and for the second Offence, to suffer Death as a Felon.

XLVI. This Act shall not extend to Corruption of Blood, or Forfeiture of Dower.

XLVII. Justices of Goal-delivery and of Peace have Power to hear and determin this Offence.

XLVIII. The aforesaid Goods forfeited shall be divided betwixt the Queen and the Prosecutor.

XLIX. Stat. 13 *Eliz.* 11. So much of the Statute of 5 *El.* 5. as concerns the transporting of Herring and Sea-fish by the Subjects born, and for not paying of Custom for the same, shall be revived, so as it be in Vessels with Cross-sails.

L. No Vessel called a Catch, Monger or Picard, shall upon the Coasts of *Norfolk* and *Suffolk*, between the 14th of *September* and the 14th of *November*, from Sun-setting to Sun-rising, anchor upon the main Sea, or in the Trade of Fishing, in pain to forfeit their Vessel, or the Value thereof, to be divided betwixt the Queen and the Corporation of *Great Yarmouth*, to be employed towards the Damages of the Party grieved, and the repairing of the Haven there, and to be recovered by seizure, or otherwise by Bill, Action, &c.

LI. A Barrel of thirty one Gallons of Wine measure, (being about twenty eight Gallons by the old Standard) which will contain usually a thousand full Herrings at least, shall be taken for the Assize of Herring-barrels.

LII. No Foreign Fish shall be dried in *England* to be sold, in pain to forfeit the same, or the value thereof, to the Seizer and Prosecutor.

LIII. Stat.

LIII. Stat. 13 *El.* 15. So much of the Statute of 5 *El.* 5. as permits crossing the Seas with Hoys and Plats, is repealed, and the Statute of 1 *El.* 13. that prohibits them is revived.

LIV. Stat. 35 *El.* 7. The abovesaid Penalty of 3 *l.* (limited by the Statute of 5 *El.* 5.) is mitigated to 20 *s.* and that of 40 *s.* to 13 *s.* 4*d.*

LV. Stat. 39 *El.* 10. The Queen's Subjects (being Owners of Ships with Cross-sails) may take into their Ships any Fish which any Alien shall buy of any Subject, and may Transport the same beyond the Sea in their said Ships, so as such an Alien pay the Custom due for the same.

LVI. All Aliens shall pay like Custom for Salt-fish and Herrings by them imported into this Realm, as a Subject of *England* pays there from whence the said Fish or Herrings were brought, besides the Queen's ordinary Custom.

LVII. None shall offer to Sell any unwholsom Fish (being warned thereof by the Officer) in pain to Forfeit the same: And being an Alien, he shall forthwith Export it, upon the like pain.

LVIII. Stat. 43 *El.* 9. No Ordinance made by the Fishmongers in *London*, or any other Corporation, restraining any Coast-man, Fisher-man or other, from taking, bringing in, putting to Sale, or buying of Salt-fish or Herrings, (being wholsom) shall be put in Execution, in pain of 100 *l.*

LIX. Stat. 1 *Jac.* 1. 24. None shall make, or cause to be made any Cloth for Ships Sails, (called *Mildernix* and *Powldavis*) but such as now use the same Trade, or shall be hereafter trained therein by the space of seven Years together, in pain to Forfeit 20 *s.* a Month.

LX. The said Cloths shall be made of good Hemp, and thirty three Yards long, and three Quarters of a Yard broad, and they shall not be put to Sale before the Stuff thereof be well beaten, scowred and breached, and the Cloth well driven with a Brazen or Iron Shuttle, in pain to Forfeit for every Cloth otherwise made 5 *s.*

LXI. The Forfeitures aforesaid shall be divided betwixt the King and the Prosecutors.

LXII. Stat. 16 *Car.* 1. cap. 14. The late Proceedings touching assessing and levying an Imposition, called *Ship-money*, declared and adjudged unlawful, and all Records and Process, Judgments, Proceedings and Enrolments thereof cancelled and made void.

LXIII. Stat. 12 *Car.* 2. cap. 18. No Goods shall be imported into, or exported out of any Territories belonging, or which may belong to the King, in *Asia*, *Africa*, or *America*, in other Vessels than such only as belong to the People of *England*, or *Ireland*, *Wales*, or Town of *Berwick*, or of any the said Territories, and whereof the Master and three Fourths of the Mariners

riners are *English*, on pain to lose such Goods and Vessel with all its Furniture: One Third whereof to the King, the other third to the Governor of such Territory where such Default shall be, if seized there, otherwise that Third also to the King, the other Third to him that will seize or sue for the same. Commanders at Sea having Commission from the King, are to bring in as Prize, Vessels offending contrary hereunto; and in Case of Condemnation, one Moiety shall be to the Use of such Commanders and their Companies, to be divided according to the Rules of the Sea in Case of Prize, the other Moiety to the King.

LXIV. No Alien shall be a Merchant or Factor in any the said Places, in pain to lose all his Goods, or which are in his Possession; one Third to the King, another Third to the Governor of the Plantation, and the other Third to any that will sue in any of the King's Courts there. All that shall be made Governors of such Plantations, shall before their entrance into their Government take an Oath to do their utmost, that the Clauses afore-mentioned be duly observed: And upon Complaint to the King, or such as he shall thereto appoint, that such Governors have been wittingly negligent therein, the Governors so offending shall be removed.

LXV. No Goods of the Growth or Manufacture of *Africa, Asia and America*, shall be imported into *England, Ireland, or Wales, Isles of Guernsey or Jersey, or Town of Berwick*, in other Vessels than *ut supra*, with Master and Mariners *ut supra*, on pain to forfeit all such Goods and Vessel: One Moiety whereof to the King, and the other to him that will seize or sue for the same.

LXVI. No Goods of Foreign Growth or Manufacture brought into *England, Ireland, Wales, Guernsey, Jersey, or Town of Berwick*, in *English* or other Shipping belonging to some of the aforesaid Places, and Navigated, as aforesaid, shall be brought from other Places than those of the said Growth or Manufacture, or from those Ports where they can only, or usually have been shipped for Transportation, on pain to Forfeit such Goods and the Vessel: One Moiety whereof to the King, the other Moiety to him that will seize or sue for the same.

LXVII. Dried or salted Fish usually caught by the People of *England, Ireland, Wales, and Town of Berwick*, Cod-fish or Herring, Oil or Blubber made of any Fish, Whale fins or Whale-bones imported into *England, Ireland, Wales, or Town of Berwick*, not having been caught in Vessels belonging thereto, and the Fish cured and dried, and the Oil and Blubber (which shall pay as Oil) not made by the People thereof, shall pay double Aliens Customs.

LXVIII. None

LXVIII. None shall load in any Bottom, whereof Strangers are Owners, Part-owners or Master, and whereof three Fourths of the Mariners at least are not *English*, any Goods whatsoever, from one Port or Creek of *England, Ireland, Wales, Guernsey, Jersey*, or Town of *Berwick*, to another Port or Creek of the same, on pain to Forfeit such Goods and Vessel; one Moiety to the King, the other to him that will seize or sue for the same.

LXIX. Where any Abatement or Privilege is given in the Book of Rates, to Goods imported or exported in Shipping built in *England, Ireland, Wales, Guernsey, Jersey*, or Town of *Berwick*, or any of the King's Territories in *Asia, Africa, and America*, it is to be understood that the Master and three Fourths of the Mariners be also *English*: And where that is required, the meaning is, That they shall be such during the whole Voyage, unless in Case of Sickness, Death, or being taken Prisoners, to be proved by Oath of the Master.

LXX. No Goods of the Growth or Manufacture of any Countries belonging to the Duke of *Muscovy*, no Masts, Timber of Boards, no Foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Raisins, Figs, Prunes, Olive-Oils, no Corn, Grain, Sugar, Pot-ashes, Wines, Vinegar, *Aqua Vita*, or Brandy-Wine, shall be imported into *England, Ireland, Wales*, or Town of *Berwick*, in any Vessel not belonging to the People of some of them, and Navigated, as aforesaid. No Goods of the Growth or Manufacture of the *Turkish* Empire shall be imported into any the Places aforesaid, in any Vessel not of *English* built and Navigated, as aforesaid, except Vessels of the built of that Place, of which the Goods are, or of such Port where they can only be, or usually are Shipped; and whereof the Master and three Fourths of the Mariners are of the said Country; on pain to Forfeit Ship and Goods to be disposed, as aforesaid.

LXXI. All Wines of the Growth of *France* or *Germany*, which shall be imported into the Places aforesaid in any other Vessel than which doth belong to *England, Ireland, &c.* and is Navigated, as aforesaid, and all Masts, Timber or Boards, Foreign Salt, Pitch, Tar, Rozin, Hemp, Flax, Raisins, Figs, Prunes, Olive-Oils, all sorts of Corn or Grain, Sugar, Pot-ashes, Brandy-Wines or *Aqua Vita*, Wines of the Growth of *Spain*, the *Canaries*, or *Portugal, Madera* or Western Islands, and all Goods of the Growth and Manufacture of *Muscovy* or *Russia*, all Currans and *Turkish* Commodities imported into any the aforesaid Places, in other than such Shipping, and so Navigated, shall be deemed Aliens Goods, and pay accordingly.

LXXII. No Foreign-built Vessel shall pass as a Ship to *England, Ireland, Wales*, or Town of *Berwick* belonging, till the Owners make appear to the Chief Officers of the Customs in the Port next to the Place of his Abode, that he is not an Alien,

lien, and take an Oath before such Chief Officer, that it was *bona fide* bought, expressing the Sum given, and the Time, Place and Persons of whom it was bought, and who are his Part-Owners (if he have any) all which shall be liable to take the said Oath before the Chief Officer of the Customs in the Port next to the place of their Abode, and that no Foreigner hath any share therein, and upon such Oath receive a Certificate under the Hand and Seal of the said Officer. The said Officer shall keep a Register of such Certificates, and return a Duplicate thereof to the Chief Officers of the Customs of *London*, for those granted in *England, Wales, and Berwick*, and to the Chief Officers of the Customs of *Dublin*, for those granted in *Ireland*, with the Names of the Persons of whom such Ship was bought, the Sum paid, and the Names of the Part-Owners.

LXXIII. If any Officer of the Customs allow the Privilege of an *English* built Ship to any Foreign built Ship till such Certificate produced, or Proof made, or to any *English* or other built Ship, until Examination, whether the Masters and three Fourths of the Mariners be *English*, or to any Foreign built Ship, bringing in the Commodities of the Growth of the Country where it was built, the Privilege by this Act given, till Examination whether it be of the Built of that Country, and the Master and three Fourths of the Owners be of that Country; or if any Governor of any Territories in *Africa, Asia, or America*, suffer any Foreign built Vessel to load or unload Goods till such Certificate produced, and Examination made, such Officer of the Customs, and Governor shall be put out of their Places.

LXXIV. Commodities of the *Streights* may be imported from the usual Places of lading them, and *East-India* Commodities from the usual Places of lading them in any part to the Southward and Eastward of *Cabo bona sperenza*, though they are not the very Places of their Growth. The People of *England, Ireland, Wales, Guernsey, Jersey, or Town of Berwick* may bring in from *Spain or Portugal, Azores, Madera or Canary Islands*, all Commodities of the Growth or Manufacture of either of them respectively.

LXXV. This Act shall not extend to Bullion, nor Goods taken by Reprisal by Ships belonging to *England, &c.* and Navigated, as aforesaid, and having Commission from the King, nor to lay Aliens Duties on any Corn of *Scotland*. Salt made there, or Fish caught and cured by the People of *Scotland*, and imported in *Scotch* built Ships, and whereof three Fourths of the Mariners are his Majesty's Subjects, nor to Seal Oil of *Russia* imported from thence into *England, Ireland, &c.* in shipping to the said Places belonging, and navigated, as aforesaid.

LXXVI. Every

LXXVI. Every Vessel belonging to any Subjects of the *French* King lading or unlading in any Port, Road, &c. in *England, Ireland, Wales*, or Town of *Berwick*, any Goods, or taking in or setting on shore any Passengers, shall pay for every Tun of its Burthen 5 s. This Duty shall continue as long as a Duty of 50 s. per Tun or any part thereof shall be collected of the Shipping of *England* laden in *France*, and three Months after. *Appropriated per 12 W. 3. cap. 11. for one year and a quarter following 25 Dec. 1700*

LXXVII. No Sugars, Tobacco, Cotton-Wooll, Indicoes, Ginger, Fustick, or other Dying-wood of the Growth of any *English* Plantations in *America, Asia*, or *Africa*, shall be transported to any Place, other than to some *English* Plantation, or to *England, Ireland, Wales*, or Town of *Berwick*, on pain to Forfeit them, or the Value, and the Ship with her Furniture; one Moiety to the King, the other to him that will seize or sue for the same.

LXXVIII. For every Vessel which shall set out from *England, Ireland, Wales*, or Town of *Berwick*, for any of the said Plantations, Bond shall be given with one Security to the Chief Officers of the Custom-House of the Place from whence it sails, of 1000 l. if the Ship be less than of the Burthen of 100 Tuns; and of 2000 l. if of greater Burthen; that if the said Vessel load any of the said Commodities at such Plantations, it shall bring them to some Port of *England, Ireland, &c.* and for all Ships coming from any other Port to those Plantations, the Governors, before the Ship be permitted to load, shall take Bond, as aforesaid, that it shall carry them to some other *English* Plantations, or to *England, Ireland, &c.* and every Ship taking on Board any of the aforesaid Goods, before such Bond given, or Certificate produced from some Custom-House in *England, &c.* of such Bonds there given, shall be forfeited, to be employed and recovered *ut supra*; and the said Governors shall twice in every Year return true Copies of such Bonds to the Chief Officers of the Custom in *London*. *Confirmed 13 Car. 2. cap. 14.*

LXXIX. Stat. 13 Car. 2. cap. 9. For the better Government of the King's Ships of War, and Forces by Sea, these Orders shall be observed, *viz.*

1. Officers shall cause the Worship of God according to the Liturgy of the Church of *England*, to be performed in their Ships, and Prayers and Preachings by the Chaplains in Orders, and that the Lord's Day be observed. 2. They that use unlawful Oaths, Cursings, Execrations, Drunkenness or Uncleaness, &c. shall be fin'd, imprison'd, or otherwise punished as the Court-Marshal shall think fit. 3. If any give or entertain Intelligence to or with Enemies or Rebels without leave from the King, Admiral, Vice-Admiral or Commander in Chief of any Squadron, they shall suffer Death. 4. If any

Letter

Letter or Message come from an Enemy to an inferior Officer or other Person, and he acquaint not his Superior with it within Twelve Hours, having Opportunity, or if a Superior Officer acquainted or receiving a Letter, &c. from such Enemy or Rebel in Person, do not in convenient Time reveal it to the Admiral, Vice-Admiral, or Commander of the Squadron, such Persons shall suffer Death, or such Imprisonment as a Court-Marshal, &c. 5. Relieving an Enemy or Rebel shall be punished with Death, or as a Court-Marshal, &c. 6. All Writings found aboard any Prize shall be sent up entirely to the Court of Admiralty, or Commissioners appointed for that Purpose, on pain of Loss of the Takers Shares, and such farther Punishment as a Court-Marshal, &c. 7. None shall take any Goods out of any Ship seized for Prize, till Judgment in the Admiralty, on pain of such Punishment as a Court-Marshal or Court of Admiralty shall impose; except Goods upon and above the Gun-deck, other than Arms, Ammunition, Tackle, Furniture and Stores of the Ship. 8. None shall steal and imbezels any of the Ships Furniture or Ammunition, on pain of Death, or as a Court-Marshal, &c. 9. If a Ship taken as Prize make no Resistance, none of the Captains, Masters or Mariners being Foreigners, shall be evil intreated, on pain of double Damages. 10. Commanders, who upon likelihood of Engagement, shall not put things in a posture for Fight, and encourage their Men, shall be cashiered: If they yield or cry for Quarter, they shall suffer Death, or such Punishment as the Offence deserveth. 11. All shall observe the Commands of the Admiral, or other their Superiors, on pain of Death, or such Punishment, &c. 12. Officers and others that in the time of Fight do not their utmost to endamage the Enemy, Pirate or Rebel, and to relieve the King's Ships, shall suffer Death, or as a Court-Marshal, &c. 13. Captains, &c. appointed for Convoy, that shall not defend the Ships in their Convoy, or that shall exact Money from them belonging to Subjects, shall make Reparation as the Court of Admiralty shall judge, and suffer Death, or such other Punishment as the Court-Marshal, &c. 14. Whoever shall forbear to pursue an Enemy, Pirate or Rebel flying or beaten, or to relieve a known Friend in view, shall suffer Death, or as a Court-Marshal, &c. 15. None shall put backward, or discourage Service and Action commanded on any Pretence of Wages, upon pain of Death. 16. All that turn to the Enemy, &c. and either run away with their Ship, Ammunition, &c. or yield it up to the Enemy, &c. shall suffer Death. 17. All that desert their Employments, run away, or entice others so to do, shall suffer Death. 18. All Spies shall be punished with Death. 19. None shall utter words of Sedition or Mutiny, nor make or endeavour any mutinous Assemblies, on Pain of Death. 20. None shall conceal traiterous or
mutinous

mutinous Practices or Words, nor Words to the Prejudice of the King or Government, nor Words or Practices tending to the hindrance of the Service, but reveal them to their Superior, on pain of such Punishment as a Court-Marshal, &c. 21. None shall quarrel with his Superior, on Pain of severe Punishment, nor strike any such, on pain of Death, or as a Court-Marshal, &c. 22. For Unwholsomeness of Victuals, or other just Ground, Complaint shall be made by each to his Superior, &c. but none shall privately attempt to make Disturbance, on pain of such Punishment as a Court-Marshal, &c. 23. None shall quarrel or fight, or use provoking Speeches, on pain of Imprisonment, or as a Court-Marshal, &c. 24. There shall be no wastful Expence nor Embezelment of any Stores in the Fleet, on such Penalties by Fine, Imprisonment, or otherwise, upon the Offenders, Abettors, Buyers and Receivers, as a Court-Marshal, &c. 25. They through whose Default any of the King's Ships are stranded, split or hazarded, shall be fined and imprisoned, or otherwise punished as a Court-Marshal, &c. 26. They that wittingly set fire on any Ship or other Vessel, their Store or Furniture, not appertaining to an Enemy or Rebel, shall die. 27. No Man shall sleep on his Watch, or negligently perform his Duty, or forsake his Station, on pain of Death, or as a Court-Marshal, &c. 28. Murders and wilful Killing shall be punished with Death. 29. Robbery and Theft shall be punished with Death, or as a Court-Marshal, &c. 30. No Provost-Marshal shall refuse to receive any Prisoner, nor suffer him to escape, on pain of such Punishment as should have been inflicted on the Party, or as a Court-Marshal, &c. 31. All shall endeavour to apprehend Offenders, and assist the Officers thereto appointed, on pain of such Punishment as a Court-Marshal, &c. 32. Sodomy and Buggery shall be punished with Death, without Mercy. 33. All Misdemeanors not here mentioned, shall be punished according to the Laws and Customs used at Sea. 34. The Admiral may grant Commissions to Vice-Admirals and Commanders of Squadrons to call Courts-Marshal of Commanders and Captains. No Court-Marshal shall inflict Death that consists of less than Five Captains: The Admiral's Lieutenant shall be as a Captain for this purpose. No Execution of any Sentence of Death by Virtue of these Articles (except in Case of Mutiny) shall be without leave of the Admiral, if the Offence be committed within the narrow Seas; and if elsewhere, not without Order of the Commander of that Squadron where the Sentence passed. 35. The Judge-Advocate, and in his Absence whom the Court-Marshal shall appoint, may administer an Oath in order to the Examination or Trial of these Offences. 36. This Act shall give Jurisdiction only for such of the Offences aforesaid, as shall be done upon the main Sea, or in Vessels hovering

ing in the main Stream of great Rivers, only beneath the Bridges nigh to the Sea, within the Jurisdiction of the Admiralty, and only by Persons in Service and Pay in the Fleet, or Ships of War.

LXXX. Altered during the present War with *France* by Stat. 4 & 5 *W. & M. Sess. 4. cap. 25. Sect. 13.*

LXXXI. Offenders against this Act excepted out of the General Pardon by Stat. 6 & 7 *W. 3. cap. 20. Sect. 18.*

LXXXII. Stat. 13 & 14 *Car. 2. II.* Whereas it is required by the Statute of 12 *Car. 2. cap. 18.* that in sundry Cases the Master and three fourths of the Mariners are to be *English*; any of the King's Subjects of *England, Ireland,* and his Plantations, are to be accounted *English*, and no others, and the number of Mariners accounted according to what they shall have been during the whole Voyage.

LXXXIII. Stat. 19 *Car. 2. cap. 11.* An Act to make Prize-ships taken during the late War with *France, Holland* and *Denmark*, and condemned in the Admiralty, free for Trade. See Prize.

LXXXIV. Stat. 22 & 23 *Car. 2. cap. 11.* Where any Goods shall be laden on board any *English* Ship of the Burthen of 200 Tuns or upwards, and mounted with sixteen Guns or more, if the Master yields up such Goods to any *Turkish* Vessels, or any Pirates, without fighting, he shall upon Proof thereof in the Admiralty, be incapable of taking charge of any *English* Vessel as Master or Commander: And if he take upon him such Charge, shall be imprisoned six Months by Warrant from the said Court. And if they that take such Goods, give back the Ship, or pay the Master any Money or Goods for Freight, or other Gift or Reward, the Goods or Money so given, or Value thereof, and the Masters part of such Ship shall be liable to repair the Persons, whose Goods were so delivered or taken, by Action in the Admiralty: All which if they be not sufficient, the Reparations shall be recovered on the Masters part, to be divided *pro rata*, and the Persons endamaged to have their Actions against the Master for the Remainder.

LXXXV. No Master of an *English* Ship discovering any Ship to be a *Turkish* Ship or Pirate, shall depart out of his own Ship upon any Pretence whatsoever. Masters of *English* Ships, though not of the Burthen aforesaid, nor mounted, as aforesaid, that shall yield to *Turkish* Ship or Pirate (not having at least his double number of Guns) without fighting, shall be liable to all the Penalties of this Act.

LXXXVI. Upon Process out of the Admiralty, Commanders of the King's Ships of War, or other *English* Ships, may seize such Ships or Masters, and bring them in Custody into any Port to be proceeded against.

LXXXVII. Mariners and other inferior Officers refusing to Fight when commanded, or uttering Words to discourage others,

others, shall lose all their Wages due, and such Goods as they have in the Ship, and be imprisoned not exceeding six Months, and during such time, be kept to hard labour for their Maintenance.

LXXXVIII. Masters of Ships that have been yielded contrary to their will, by the Disobedience of the Mariners, testified by laying violent hands on them, shall not become incapable, as aforesaid, nor liable to any Action for the Merchants Losses, unless they have received back from the Takers some recompence.

LXXXIX. Mariners laying violent hands on their Commanders to hinder them from fighting in defence of their Ships, shall suffer Death as Felons.

XC. When any *English* Ship shall have been defended by fight, and brought to her Port, in which Fight any of her Men have been wounded, the Judge of the Admiralty, or his Surrogate, or of the Vice-Admiralty where the Ship shall arrive, upon the Petition of the Master and Seamen, may call so many as he shall be informed to be Adventurers or Owners, and by advice with them, levy upon the respective Owners and Adventurers such Sums as himself with the major part of them then present, shall judge reasonable, not exceeding two *per cent.* of the Ship and Goods, according to the Invoice, or by Oath of the Owner, Factor, &c. which Money shall be paid to the Register of the said Court, who shall receive Three pence in the Pound for the same, to be distributed among the Captain, Master, Officers and Seamen, or the Widows and Children of the slain, according to the direction of the Judge, with approbation of Three or more of the Owners or Adventurers.

XCI. If the Company of any *English* Merchant Ship take a Ship which shall first have assaulted them, the Officers and Mariners thereof, after Condemnation, shall receive such share as is practised in private Men of War.

XCII. Captains, Masters, Mariners, &c. wilfully destroying the Ship to which they belong, or procuring the same to be done, shall suffer as Felons.

XCIII. All Offences contrary to this Act made triable in the *Kings-Bench*, or before Justices of *Oyer and Terminer*, by Stat. 5 & 6 *W. & M. cap. 25.*

XCIV. Stat. 22 & 23 *Car. 2. cap. 26.* The word *Ireland* shall be left out of all Bonds taken in pursuance of the Statute of 12 *Car. 2. cap. 18. Vide sup. Sect. 77.*

XCV. Every Vessel that shall take on Board any of the Commodities there mentioned, at any of the said *English* Plantations, until such Bond given or Certificate produced from the Officers of some Custom-house in *England, Wales*, or Town of *Berwick*, that such Bond hath been there given, or which shall carry the said Goods to any place contrary to the Tenor of such

such Bond, shall be forfeited, with all their Guns, Ammunition, Furniture and Lading, one Moiety to the King, the other Moiety to him that will seize or sue for the same in any of the said Plantations, in the Court of the High-Admiral of *England*, or Vice-Admiral, or any Court of Record in *England*.

XCVI. The Governors of his Majesties Plantations in *America* shall once a year at least return to the Officers of the Custom-house in the Port of *London*, or such as the King shall appoint to receive the same, a List of such Vessels as shall lade any of the said Commodities in such Plantations, and of such Bonds taken: and if any Ship belonging to any of the said Plantations, having on Board any Sugars, Tobacco, Cotton-wooll, Indicoes, Ginger, Fustick, or other Dying Wood, shall unlade it in any other place of *Europe*, than *England*, *Wales*, or Town of *Berwick*, such Vessel shall be forfeited with her Ammunition, Furniture and Lading, to be recovered and divided, as aforesaid.

XCVII. Any Person may prosecute such Ship in any Court of Admiralty in *England*.

XCVIII. *Tangier* shall not be taken to be a Plantation within the meaning of this Act, or 15 *Car. 2. cap. 7.* or 12 *Car. 2. cap. 18.*

XCIX. This Act shall continue for Nine years, and to the end of the Session of Parliament then next ensuing. Continued 1 *Jac. 2. cap. 17.* for Seven years, and to the end of the first Session of the next Parliament.

C. Stat. 1 *Jac. 2. cap. 18.* All Foreign built Vessels bought and brought into this Kingdom, and employed in carrying any Merchandize from Port to Port, for every Voyage shall pay to the King, his Heirs, &c. at the Port of delivery of their Lading, (before delivery) besides all Duties now paid, or that shall be payable by *English* built Ships, 5 s. per Ton; one Moiety to the use of the Chest at *Chatham*, the other Moiety to the Master, Wardens, &c. of *Trinity-House* of *Debtford-Strond*, for the Relief of decayed Seamen, &c.

CI. All Foreign Ships (not free) belonging, or pretended to belong to *English* Owners, and Transporting Coals or other Goods from Port to Port in *England*, for every Voyage shall pay after *Michaelmas*, 1689. 12 d. per Ton, besides the Duties now paid, or that shall be payable by *English* built Ships, to be disposed of by Moieties, as aforesaid, and to be collected in manner aforesaid.

CII. His Majesty shall have the same remedy for receiving and recovering the said Duties, that are provided in the Act of Tonnage and Poundage.

CIII. The said Duties shall not be let to Farm.

Silk,

Silk, and Silk-throwing.

* I. Stat. 19 H. 7. 21. None shall bring or cause to be brought into *England*, any Silk wrought (by it self or with other Stuff) out of *England* in Ribbon, Laces, Girdles, Cauls, Corfes, Tissues, or Points, in pain to forfeit the same, or the value thereof, to be divided betwixt the King and the Seisor or Prosecutor: But all other Silk (both wrought and raw) may be imported and sold at pleasure.

* II. Stat. 13 & 14 Car. 2. cap. 15. None shall exercise the Trade of a Silk-thrower, unless such as have served Seven years Apprenticeship thereto, on pain to forfeit 40 s. for every Month, the one half to the King, the other to him that will sue in any Court of Record, or before the Justices of Oyer and Terminer, or Justices of the Peace at their Quarter-Sessions.

III. All that now use as Masters the said Trade, or have served as Apprentices to it Seven years in *London* and *Westminster*, or within twenty Miles compass of them, shall enter themselves before the 25th of *December*, 1662. in the Company of Silk-throwers in *London*, on pain to forfeit 40 s. for every Month they use the Trade after that time, one half to the King, the other to him that will sue in any Court of Record, or before the Justices of Oyer and Terminer, or Justices of the Peace at their Quarter-Sessions.

IV. The Masters, Wardens, Assistants and Commonalty of the said Company may execute within the Precinct aforesaid all Authorities granted by this Act, or their Letters Patents of Incorporation.

V. Silk-winders and Doublers purloining, embezzelling, pawning, selling, or detaining Silk delivered to them to wind or double: they and their Journey-men, Buyers and Receivers of such Silk, being convicted by Confession or Oath of one Witness before a Justice of Peace, or Chief Officer of the City or Town Corporate, where, &c. shall make such recompence for Damages and Charges, not exceeding what the Party grieved shall prove he is endamaged and has expended, as the said Justice, or, &c. shall appoint: and in default of Satisfaction within 14 days after Conviction, shall be whipped, or set in the Stocks.

VI. Freemen of the Company may employ Native Subjects and no other to double and wind Silk, though they have not served Seven years as Apprentices.

VII. The Corporation shall not by virtue of this Act make Ordinances to set Rates on Throwing of Silk.

VIII. Stat. 20 Car. 2. cap. 6. A By-Law made by the Company of Silk-throwers in *London*, stinting the Freemen of the said Company not to work with above a Hundred and sixty Spindles at one time, and the Assistants with above Two hundred and

forty, shall be null and void ; and the Company disabled from making any By-Law, which shall limit the number of the Utensils about the said Mystery.

IX. No By-Law made or to be made by the said Company, shall confine any Freeman to take a less number than three Apprentices at any time.

Southampton.

I. Stat. 11 H. 7. 5. Every Man may pull down the Wears and Engines in the Haven of *Southampton*, between *Calford* and *Rebridge* ; and whosoever levieth any other there, shall pay 100 l. to the King.

II. Stat. 14 & 15 H. 8. 13. A Confirmation of 11 H. 7. 5. and the same made perpetual.

III. Stat. 4 Jac. 1. 10. An Act was made for the Confirmation of some part of a Charter granted by H. 6. to the Mayor, Bailiffs and Burgeses of *Southampton*, and for the relief of the Town. See the Statute at large.

Southwark.

I. Stat. 29 Car. 2. cap. 4. The Justices of the *Kings-Bench*, *Common Pleas*, and Barons of the *Cof of the Exchequer*, the Lord Mayor of *London*, and Recorder for the time being, and every Alderman that hath been Lord Mayor, the Steward of *Southwark*, *Fr. Viscount Longford*, *Sir Fr. Vincent* Baronet, *Sir Adam Brown* Baronet, *Sir William More* Baronet, *Sir Edmund Boyer* Knight, *Sir William Howard* Knight, and others, (*whose Names see in the Act at large*) or five of them, whereof one of the said Justices or Barons to be one, are hereby constituted a Court of Record, and may summarily at their Discretions, hear and determine all Differences arisen or which may arise concerning the building or not building the Houses, &c. burnt down by a Fire hapning in *Southwark* on the 26th of *May* last past, or concerning the payment or abating any Rents, (other than Arrears due on or before the 25th of *March*, 1676.) &c. and all Incidents relating thereunto ; the definitive Order of the said Court to be final against all Claims precedent thereunto, without appeal or review other than is hereafter expressed.

II. The said Court may order the surrendring, increasing, abridging, ceasing or charging any Estates in the Premisses, or new Estates to be made to late Occupiers or others that will build, if they refuse, at such Rent or Fine as they think fit : such Decrees to conclude notwithstanding any Disability, Estate tail, Right of the Church, or other Corporations, &c.

III. Upon

III. Upon Petition made to the said Court in Writing, any three of the Persons authorized, in Court or out of Court, may summon the Parties and Witnesses to appear at a day, and upon appearance or default of such Persons, upon Oath made of such Summons being served, (the Service to be such as is allowed to be good in Cases of *Subpœna*) the Court may proceed to determine the Controversie: saving, that when Persons to be summoned, are beyond Sea at the time of issuing of such Summons, or cannot be found, that no Proceedings be thereupon till six Months after; and then upon Oath of endeavouring to serve the said Summons, the Court may proceed, unless the Persons upon a new Summons after their return or being found, shall appear sooner.

IV. If the Persons interested shall not lay the Foundations of their Houses within two years after the 25th of *March* next, and within the time to be limited by the said Court finish the same, the Court may dispose of the Soil to such as will build, and award Satisfaction to the Proprietors: who if they will not, or through some Disability cannot accept thereof, the Court by Warrant to the Chief Bailiff of *Southwark* may impanel a Jury, to assess such Recompence as they think fit, upon payment whereof, or tender and refusal, the Ground to remain to the Builder according to the Decree of the Court.

V. Orders made by fewer than seven of the Persons authorized, upon Exceptions presented in Writing within Thirty days after they are made to any of the Judges or Barons aforesaid, and there subscribing that they find probable cause of Complaint, may be reviewed, reversed, affirmed, enlarged, or otherwise altered, and Costs given against the Appellants, by any seven or more of the Justices and Barons, and other Persons authorized, other than such as have made the same.

VI. Such Appeals to be finished within six Months after delivery of the Exceptions, or stand discontinued.

VII. No Writ of Error or *Certiorari* shall be allowed to reverse or remove the said Orders and Decrees.

VIII. The said Judgments, Orders and Decrees shall be entered in Books of Parchment, and subscribed by those that made them; the Books to be delivered to the Town-Clerk of *London*, to be kept among the Records of the City, and Persons concerned shall have liberty to peruse and take Copies thereof: the Authorities given by this Act to continue three years from the said 25th of *March*.

IX. All Persons constituted Judges of the said Court, other than the Justices of the one Bench or other, and Barons of the *Coif of the Exchequer*, before they execute the Authorities here mentioned, shall take this Oath before the Lord Mayor of *London*, viz.

I do hereby swear, That I will justly and truly execute the Powers and Authorities in this Act contained, and according to the best of my knowledge, without Favour or Affection to any of the Parties concerned. So help me God.

Five of the Persons so constituted, after they have taken the said Oath, may administer it to the Lord Mayor.

X. Encroachments and Purprestures on the High-street, and from the foot of the Bridge to *Compter-Lane*, shall be reform'd by the said Court: saving to the Inhabitants of the High-streets power to suffer their Stall-boards when their Shop-Windows are open, to extend one foot into the Street.

XI. Differences concerning Party-walls and other Walls, stopping up Lights, Ways, Water-courses, &c. shall be ordered by the Court, and Satisfaction awarded to Persons damnified.

XII. The Court may order such Fees for such Officers as they think necessary to attend the Court, which shall be hung up in some publick place.

XIII. Any of the Persons so constituted may take Affidavits in Court and out of Court, concerning serving Process: Persons committing Perjury therein may be proceeded against as for other Perjury at the Common Law.

XIV. If any of the said Persons present at the making any Decree, shall die before he sign it, the signing of it by the Survivors shall be effectual.

XV. Nothing in this Act shall extend to alter or avoid any Lease or Contract made since the Fire: but any such Builder may have the Decree of the Court for corroborating the same, if he desire it.

XVI. No Person hereby constituted Judge of the said Court, shall have a Vote or Place there, when himself is a Party, but shall withdraw during the Debate.

XVII. Where any is decreed to build, seal a Lease, or give Security, &c. Persons concerned, in default thereof, may by Action upon the Case in any Court of Record at *Westminster*, recover Damages for Non-performance, or maintain a Bill in Equity for a Performance *in specie*: and Persons ordered to abate any Annoyance or Purpresture, and neglecting the same, may be indicted for such contempt.

XVIII. Where any Persons shall be decreed to pay Money, Persons concerned, upon Non-payment may have an Action at Law for the same, and give the Decree in Evidence.

XIX. In Suits for any thing done in pursuance of this Act, the Defendants may plead the General Issue, and upon any Issue joyned may give the Special Matter in Evidence; and if the Plaintiff discontinue, or Judgment pass against him, the Defendant shall have double Costs.

[XX. South-

XX. *Southwark* Market shall be kept where and when it hath been and is kept, and not removed to any other place, nor held at any other time.

Spice.

I. Stat. 1 Jac. 1. 19. All Spice, Drugs, and other Merchandize garbleable, shall (for the Fees usually allowed) be sufficiently cleansed and garbled, and afterwards sealed by the Garbler (thereunto appointed) or his Deputy, before they be sold, in pain to forfeit them, or the value thereof: Also such as after Garbling shall be again mixed with Garble, shall likewise be forfeit.

II. It shall be lawful for the said Garbler to search in Shops, Cellars, Ware-houses, and other Places, for Wares ungarbled, and if he find any such, to cause them to be garbled.

III. The Forfeitures of this Act are to be divided betwixt the King and the Prosecutor.

IV. Spices or other garbleable Merchandize imported, and afterwards within eight Months exported without being sold or garbled, shall not be within the danger of this Act. *Repealed* per 6 Ann. cap. 16.

Spiritual Laws.

I. Stat. 13 El. 12. Every Spiritual Person (under the Degree of a Bishop) pretending to be a Priest or Minister of the Word by any other Form of Institution or Consecration, than that established by *Ed. 6.* or now used, shall before *Christmas* next (in the presence of the Bishop, or Guardian of the Spiritualities of the Diocese where he hath his Benefice) declare his Assent, and subscribe to the Articles of Religion put forth by the Queens Authority, and shall bring from such Bishop or Guardian under his Seal a Testimonial thereof, and publickly (on some *Sunday* at Evening Prayer) where his Benefice is, read the said Testimonial and Articles, in pain to be *ipso facto* deprived of all his Spiritual Promotions, as if he were dead.

II. If any Ecclesiastical Person (having a Benefice) shall maintain any Doctrine repugnant to the said Articles, and being therefore convented before the Bishop, Ordinary, or High Commission, shall persist therein, or after Revocation thereof shall affirm the same again, it shall be lawful for such Bishop, Ordinary, or High Commission, to deprive him.

III. None shall be admitted to a Benefice with Cure, unless he be a Deacon, and of the Age of Twenty three years, and shall subscribe the said Articles in the presence of the Ordinary, and publickly read them in the Church of his Benefice, and declare his Assent thereunto.

IV. Every Person hereafter to be admitted to a Benefice with Cure, shall, within two Months after his Induction, publicly read the said Articles in the Church whereof he hath the Cure, in Common-Prayer-time, with Declaration of his Assent thereunto, and be admitted to administer the Sacraments within one Year after his said Induction, (if he be not admitted before:) in pain upon every such default to be deprived *ipso facto*.

V. None shall be made Minister, or admitted to Preach, or administer the Sacraments, under the Age of Twenty four years, nor unless he first bring to the Bishop (from Four known to the Bishop to be of sound Religion) a Testimonial of his Life and Doctrine as expressed in the said Articles, and able to render an Account of his Faith in Latin, according to the said Articles, or have special Gift or Ability to be a Preacher: Neither shall any be admitted to be a Deacon or Minister, unless he first subscribe the said Articles.

VI. None shall be admitted to a Benefice with Cure of 30 *l.* *per annum* in the Queens Books, unless he be a Batchelor of Divinity, or a Preacher lawfully allowed by some Bishop, or one of the Universities.

VII. All Admissions, Institutions, Inductions to Benefices, and all Tolerationes, Dispensations, Qualifications and Licences whatsoever to the contrary hereof, shall be void in Law.

VIII. Provided, That no Title to confer or present by Lapse, shall accrue upon any Deprivation *ipso facto*, but after six Months after notice of such Deprivation given by the Ordinary to the Patron.

Spirituality.

I. Stat. 4 H. 4. 2. *pars inde*. The Statutes made in the 25th of E. 3. touching the Clergy of *England*, shall be put in Execution.

II. Stat. 4 H. 4. 3. All Statutes, Ordinances and Grants made by the Kings Progenitors (Kings of *England*) to the Clergy of *England* for the Conservation of their Liberties and Privileges, and of the Liberties and Muniments of Holy Church, (not revoked) shall be firmly observed and put in due Execution.

Stanes.

I. Stat. 1 H. 8 9. An Act concerning the maintaining of the Bridge and Causeys of *Stanes*, and for the gathering of the Toll there; and the Letters Patents made of the Toll there shall be void. See the Statute at large.

Staple.

I. Stat. 2 E. 3. 9. All Staples shall cease, and all Merchants may come in and go out with their Merchandize at their pleasure, according to the Great Charter.

II. Statute of the Staple, Cap. 1. 27 E. 3. The Staple of *English Wool, Leathers, Wool-fells and Lead*, shall be holden for *England* at *Newcastle upon Tyne, York, Lincoln, Norwich, Westminster, Canterbury, Chicbester, Winchester, Exeter and Bristol*; for *Wales* at *Carmarthen*; and for *Ireland* at *Dublin, Waterford, Cork and Drogheda*; and not elsewhere.

III. When the said Merchandize is to be exported, they shall be first brought to the said Staples to be weighed by the Standard; and every Sack and Sarplet of Wool so weighed, shall be sealed under the Seal of the Mayor of the Staple.

IV. The Wools so weighed and sealed at *York, Lincoln, Norwich, Westminster, Canterbury and Winchester*, and also Leather, Wool-fells and Lead which shall be brought thither, (the Customs of the Staple being paid) shall be witnessed by Bill under the Seal of the Mayor of the Staple, and shall be from thence conveyed to the Ports following, *viz.* from *York* to *Hull*, from *Lincoln* to *St. Botolph (alias Boston)* from *Norwich* to *Great Yarmouth*, from *Westminster* to *London*, from *Canterbury* to *Sandwich*, and from *Winchester* to *Southampton*, and there the Wools and Lead shall be again weighed by the Customers assigned in the same Ports. But the Wools and Lead brought to *Newcastle, Chicbester, Exeter, Bristol, Carmarthen, Dublin, Waterford, Cork and Drogheda*, shall be once weighed by the Standard in those several Ports in the presence of the Customers there.

V. An Indenture shall be made at the said Ports betwixt the Mayor of the Staple and the Customers there, of all Wools, Lead, Leather and Wool-fells brought thither; And they also shall be there customed and coqueted, and the Custom thereof duly paid; which shall be for Denizens half a Mark for a Sack of Wool, and as much for three hundred Wool-fells, and a Mark for a Last of Leather; but for Aliens, 10 s. for a Sack of Wool, 10 s. for a thousand Wool-fells, and 20 s. for a Last of Leather, and 3 d. for every Sow of Lead.

VI. The said Merchandize shall be transported beyond Sea from the said Ports by Merchant-strangers, and not by *English, Welsh, or Irish*.

VII. Neither the Mayor, nor Customers shall delay any Man for Gain, nor take any more than appertaineth to their Offices, in pain of Imprisonment, and to answer the Party double what is so taken, together with his Damages occasioned by

by such taking or delay ; and besides they shall be ransomed at the King's Will.

VIII. The Mayor of the Staple and the Customers shall take an Oath of all Merchants that so transport the said Merchandize, that they shall hold no Staple thereof beyond Sea.

IX. *Cap. 4.* None going to, or coming from the Staple, shall be disturbed by the Purveyors of the King, or any other ; saving to the King all Prices Royal, and all Carriages and Victuals as hath been accustomed.

X. Every Carrier returning from the Staple shall have a Bill under the Mayor's Seal, testifying that he serveth the Staple, and containing his Journeys home ; which Bill shall be freely granted ; and the Mayor shall be sworn to give no Bills to any but such as serve the Staple.

XI. If any thing pertaining to the Staple be so taken, Hue and Cry shall be levied after the Offender by the Town where it is so taken, or by the next : and if it be within the Verge, the Offender shall be punished by the King's Steward and Marshal ; but if out of the Verge, he shall be conveyed to the Goal, and suffer as a Felon, if the Offence require it.

XII. If the Town and Towns be negligent to arrest the Offender, the four Towns next adjoyning shall answer the Party grieved his Damages, if they cannot reasonably excuse themselves.

XIII. If such Offence be committed within the Staple, the Mayor and Ministers of the Staple shall arrest the Taker, and do the Party grieved right : but if the Staple be within the Verge, and the Taker be one of the Court, in that Case the Mayor and Ministers shall call them to the said Steward and Marshal, or the Steward's Lieutenant, to see Right done according to the Law of the Staple. Howbeit, if they come not, the said Mayor and Ministers shall proceed without them.

XIV. *Cap. 5.* None of the King's Justices shall take Conuſance of any thing that pertains to the Staple.

XV. *Cap. 6.* None of the King's Officers shall meddle in the Places where the Staples be holden, in pain to answer the Party grieved quadruple Damages, and be grievously punished by the King.

XVI. *Cap. 7.* All Licences granted to *English, Welsh, or Irish*, to transport the abovesaid Merchandize contrary to this Statute of the Staple shall be void.

XVII. *Cap. 8.* The Mayors and Constables of the Staples shall have Jurisdiction and Conuſance (within the Staple) of all People and Things which concern the Staple ; and all People coming thither shall be ruled by the Law-Merchant, and not by the Common Law, or other Customs : So that if either Plaintiff or Defendant be of the Staple, the Action may be tried before the said Officers, whether the Contract or Covenant were made

made within the Staple or without ; but Trespafs there triable must be done within the said Staple. Howbeit, Pleas that concern the King's Court shall be heard and determined by the Steward or his Lieutenant, and the Marshals, together with the said Mayor ; and Pleas of Land and Freehold shall be at the Common Law.

XVIII. If Felonies or Maihems be there committed, the Mayor, or other fit Person, shall be assigned to hear and determine them according to the Common Law ; and none shall detain such an Offender, in pain of 100*l*. And Indictments found without the Staple of Offences done within it, shall be sent to the said Mayor and Justices to do Right therein.

XIX. When an Issue is to be tried before the Mayor by an Inquest, if the Parties be both Denizens, the Inquest shall be all Denizens ; and when they are both Aliens, they shall be both Aliens : but when the one Party is a Denizen, and the other an Alien, half the Inquest shall be Denizens, and the other half Aliens.

XX. *Cap. 9.* The Mayor of the Staple may take a Recognizance of a Debt in the presence of the Constables of the Staple, or one of them. And there shall be a Seal ordained, to be remaining with the Mayor under the Seal of the Constables, with which every Obligation upon such Recognizance shall be sealed ; and for every such Obligation under 100*l*. they shall pay an Half-peny in the Pound ; but for those above, only a Farthing in the Pound.

XXI. Upon such Obligation, after default of Payment, the Mayor may imprison the Debtor, and arrest his Goods, and sell them to satisfy the Creditor. But if the Debtor be not found within the Staple, the Mayor shall certify the Obligation into the Chancery, from whence shall thereupon issue a Writ against the Debtor's Person, Lands, Goods and Chattels, returnable into the Chancery, and thereupon due Execution shall be made, as is contained in the Statute Merchant ; so that the Creditor may have Freehold in the Debtor's Lands, which shall be delivered unto him by the same Process, and likewise recovery by Writ of *Novel disseisin*, if he be put out. But here the Debtor shall have no advantage of the quarter of a Year that is contained in the said Statute Merchant.

XXII. *Cap. 15.* They who have any Wools, Leather, Fells or Lead, betwixt the places where the Staples shall be and the Sea, and seem to intend to carry them to the Staple, shall make Indentures betwixt them and the Bailiffs of the Town where they ship them, testifying how much they have so shipped.

XXIII. The Bailiffs of such places shall take an Oath, and sufficient Surety of them and the Mariners, that they shall carry them to the Staple, and not elsewhere, and there shall discharge them before they enter the Sea.

XXIV. The

XXIV. The said Bailiffs shall send one part of the Indentures to the said Mayor of the Staple (whither they intend to carry the Goods) by a Messenger (for whom they will answer) at the Costs of the Owners of the Goods. And all this the said Bailiffs and Merchants shall do, in pain to incur the Punishment contained in the third Article of the Statute; *which see in Merchants.*

XXV. *Cap. 16.* In every Town where the Staple is, there shall be certain Rows and Places provided, where the Wools and other Merchandize may be put; and Houses there shall be set at reasonable Rates, to be assessed by the Mayor or Constable of the Staple, and four discreet Men of the Town where the Staple is, who shall be sworn to make a lawful Tax: and none shall be disturbed to lodge his Merchandize in such hired House.

XXVI. *Cap. 17.* Merchants of *Ireland* and *Wales*, who cannot sell their Wool, Wool-fells, Leather or Lead in *Ireland* and *Wales*, may bring them to the Staples of *England*, having first paid Custom of them in the places from whence they bring them, in respect whereof they shall not be charged with Custom in *England*: Howbeit, if they carry them elsewhere, they shall incur the Penalties of the said third Article.

XXVII. *Cap. 18.* The Treasurer and Barons of the Exchequer shall yearly (at *Easter* and *Michaelmas*) have an account what Merchandize is so conveyed out of *Ireland*, and of the Custom paid for the same.

XXVIII. *Cap. 19.* No Merchant, or other, shall lose his Goods for the offence of his Servant, unless he did it by the command or procurement of his Master: and speedy Justice shall be done to Merchants from Day to Day, and Hour to Hour.

XXIX. *Cap. 20.* If any Wrong be offered a Merchant stranger out of the Staple, the Justices there shall do him Right according to Law-Merchant, *viz.* speedy Justice; and if any be convict thereof, he shall forfeit to the King as much as the Merchants Damages amount unto, and shall pay to the Merchant double Damages.

XXX. *Cap. 21.* In every Staple Town there shall be a Mayor and two Constables established, able for the Execution of their several Places; and when they die, or are changed, others shall be chosen in their rooms by the Commonalty of Merchants there. Howbeit, the Mayor shall not hold over his Year, unless he be again chosen, (as aforesaid) and that as well by Aliens as Denizens.

XXXI. The Mayor and Constables have power to keep the Peace, and to arrest Offenders there for Debt, Trespas or Contract, and them to imprison and punish according to the Law of the Staple; for which end a Prison shall be there also ordained.

XXXII. Offi-

XXXII. Officers of Corporations where the Staple is, or near adjoyning thereunto, shall (upon command) assist the Officers of the Staple in the Execution of their Offices, in pain of grievous Forfeiture: Also a Lord of most Sufficiency in the County where the Staple is, shall be assigned to be aiding to them as occasion shall require, as well to reform Offenders, as to redress Mistakes by them omitted. But the Appeal for Injustice in the Staple shall be to the Lord-Chancellor or Privy-Council.

XXXIII. Cap. 22. In every Staple there shall be Correctors appointed, able and sufficient Men, (as well Aliens as Denizens) to record Bargains between Buyers and Sellers; and they shall give good Security before the Mayors and Constables, lawfully to execute their Office; and being found in default, shall answer Damages to the Party grieved. Howbeit, they shall not meddle with Merchandize during their Office. But here, none shall be forced to use a Corrector unless he please; nor give him any thing, unless he do something at his Request.

XXXIV. Cap. 23. A certain number of Porters, Packers, Winders, Workers, and other Labourers of Wool and other Merchandize, shall be ordained for the Staple, who together with the Correctors, and all other Officers of the Staple, (except the Constables) shall be sworn before the Mayor, duly to execute their Offices: Also all Merchants (both Aliens and Denizens) coming thither to Merchandize, shall be sworn before the Mayor and Constables, to be justified by them, and to maintain the Laws and Usages of the Staple: but the Mayor and Constables shall be sworn in Chancery duly to execute their several Offices.

XXXV. Cap. 24. Merchant-strangers shall chuse two Merchant-strangers, who shall be assigned (the one for the South, the other for the North) to sit (when they please) with the Mayor and Constables of the Staples, to hear Complaints touching Merchants Aliens; but the Mayor and Constables shall not forbear to proceed, if they come not: Howbeit, if they come, and any Debate happen to arise between them concerning such Complaint, it shall be determined before the Chancellor, or the King's Council.

XXXVI. Also six other Persons shall be chosen, viz. two of *Almain*, two of *Lombardy*, and two of *England*, who shall be sworn duly to execute their Offices, in moderating Differences amongst Merchants concerning things of the Staple, which any four of them may (by their Oaths) do before the Mayor and the Officers; and what they do therein shall be definitive.

XXXVII. Cap. 25. He that makes Confederacy or Conspiracy, which may turn to the Impeachment, Disturbance, Defeating or Decay of the said Staples, or of any thing to them belonging,

belonging, shall incur the Penalties ordained in the said third Article.

XXXVIII. *Cap.* 28. The Liberties of the Staple are confirmed, notwithstanding any Franchises granted to Corporate Cities or Towns. Howbeit, other Mens Liberties, being in the Staple (*viz.* to keep Fairs, Markets, and the like) are saved.

XXXIX. *Stat.* 28 *E.* 3. 13. The Warranty of packing of Wools, shall be wholly taken away, unless it be by Covenant under Seal.

XL. An Inquest for the Trial of an Action in the Staple, or before other Justices, where an Alien is one of the Parties, shall be *per medietatem lingua*, if many Aliens may be found; but if not, by so many as are found, and the rest to be made up of Denizens, being no Parties or Privies.

XLI. None shall forestal Merchandize coming towards this Realm, in pain to incur the Penalties of the said third Article of the Statute-staple, &c.

XLII. No Foreigners Ship shall be compelled to arrive in England, nor to tarry in any place there, against the good Will of the Masters, Mariners or Merchant, unto whom the Ship or the Goods in her do belong, in pain to incur a grievous Forfeiture to the King.

XLIII. *Stat.* 36 *E.* 3. 7. Mayors and Constables of the Staples shall have only Conusance of Debts, Covenants, Contracts, and all other Pleas touching Merchandize, and the Surety thereof, betwixt Merchants known; but Process of Felonies and all other Pleas, (as well within the Staple as without) shall be at the Common Law, as it was before the Statute-staple. Howbeit, Merchant Aliens have liberty to sue for Debts, Trespas, &c. before the Mayor, or at the Common Law, at their Election.

XLIV. The King and other Lords (within their Seigniories) shall enjoy their Franchises, as they did before the Statute-staple; only the Mayor of the Staple shall take Recognizance as by the said Statute is ordained.

XLV. *Stat.* 38 *E.* 3. *Stat.* 1. 7. The Staple shall be in England: and the Statute of the Staple, together with the Declarations, Additions and Modifications thereof, is confirmed.

XLVI. *Stat.* 12 *R.* 2. 16. The Staples shall be removed from *Middleborough* to *Calais*.

XLVII. *Stat.* 14 *R.* 2. 1. The Staples shall be removed from *Calais* to those Towns in England named in the Statute of the Staple, 27 *E.* 3. 1.

XLVIII. Every Merchant Alien shall bestow the value of half his Merchandize upon Commodities of this Realm.

XLIX. *Stat.* 14 *R.* 2. 3. Officers of the Staple shall be first sworn to the King, and then to the Staple.

L. *Stat.*

Steel, Still-yard, Surveyor, Suit. 607

L. Stat. 14 R. 2. 5. No Denizen shall transport any Wools, Wool-fells, Leather, or Lead beyond Sea, in pain to forfeit the same.

LI. Stat. 15 R. 2. 9. The Statute of the Staple is confirmed.

LII. The Mayor of the Staple shall take no Recognizance of Debt contrary to the Statute, in pain to pay half the Sum Recognized to the King.

LIII. Stat. 10 H. 6. 1. Recognizances taken before the Mayor of the Staple at *Calais*, shall be effectual in *England*.

Steel.

* I. Stat. 2 & 3 E. 6. 27. None shall forge or sell any Gads of Iron, like in Fashion to Gads in Steel, in pain to forfeit 4*d*. a Gad, to be divided betwixt the King and the Prosecutor.

Still-yard.

I. Stat. 19 H. 7. 23. All Acts, Statutes and Ordinances, made in Derogation of the Merchants of the *Still-yard* (called Merchants of the House in *Almain*, and having the House in *London* called *Guildhalda Teutonicorum*) or of their Liberties granted them by the Kings of *England*, shall stand (as against them) void and repealed. Howbeit, this Act shall not be prejudicial to the City of *London*.

Surveyor.

I. *Extenta Manerii*, 4 E. 1. Containing certain Articles to be inquired by Surveyors concerning Building, Demesns, Foreign Pasture, Parks, Demesns Woods, Foreign Woods, Herbage and Pannage, Mills, Fishing, Freeholders, Customary Tenants, Cottages and Curtilages, Perquisites of Courts, Patronages, Liberties, Customs, Services, &c. See the Statute at large.

Suit.

I. Marlb. 9. 52 H. 3. None enfeoffed by Deed shall be distrained to do Suit to his Lords Court, unless he be bound to do it by the form of his Deed, or he or his Ancestors have used to do it before the King's first Voyage into *Britany*, being about thirty nine Years and an half since.

II. None enfeoffed from the time of the Conquest shall do it, unless his Ancestors have done it before the said Voyage.

III. Such

Swans, Swearing and Cursing.

III. Such as be at a Suit-fine shall be free from Suit, paying their Fine.

IV. The Parcener having the eldest part shall do Suit for his or her Fellows, and the rest shall be contributory.

V. Also one Joynt-tenant or Tenant in common shall do the Suit, and (if there be no Mean to acquit him) the rest shall contribute.

VI. If a Lord distrain for Suit not due, the Parties (upon complaint) shall have an Attachment against the Lord to appear in the King's Court at a short Day, when one only Essoign shall be allowed; and the Distress shall be delivered to the Plaintiff, and there remain until the Plea determined.

VII. If the Lord appear not at the Day, the Sheriff shall have command to distrain him by his Goods, and to have his Body before the Justices at another Day, when, if he appear not, the Plaintiff shall go without Day, and the Distress shall remain with him, until the Lord have Recovered: and in the mean time no more Distresses shall be made; saving to Lords their Right to recover their Suits, when they will sue for them. But here, if the Lord be convict, he shall allow the Plaintiff Damages.

VIII. Like Justice shall be done to Lords against Tenants that withdraw their Suits, as to limiting of Days, and awarding of Distresses, and Damages also, if they recover: but Lords shall not recover Seisin of such Suits against their Tenants by default, as they were wont to do. And as concerning Suits withdrawn, before the time above-mentioned, let the Common Law run as it was wont to do.

Swans.

I. Stat. 22 E. 4. 6. None (but the King's Son) shall have any Mark or Game of Swans of his own, or to his use, except he have Lands and Tenements of Freehold worth five Marks *per Annum*, besides Reprises; in pain to have them seized by any having Lands of that value, to be divided betwixt the King and the Seisor.

Swearing and Cursing.

* I. Stat. 21 Jac. 1. 20. If any shall Swear or Curse within the hearing of a Justice of Peace, or shall be convicted thereof by his own Confession, or the Evidence of two Witnesses upon Oath before the same Justice, he shall forfeit 12*d.* for the use of the Poor where the Offence shall be committed, to be levied by the Constable, Church-wardens and Overseers of the Poor there, (upon Warrant from such Justice) by Distress

and

and Sale of Goods : and in default of distress, if the Offender be above Twelve years old, he shall (upon Warrant as aforesaid) be set in the Stocks three hours ; but if under, then shall he be whipped by the Constable, or by the Parent, or Master in the Constables presence.

II. Here, if the Officer be sued for the due execution of his Office, he may plead the General Issue, and yet give special Matter in Evidence.

III. This Offence shall be complained of and proved as aforesaid, within twenty days after it is committed : And this Act shall be read in the Church twice in the year, upon Sunday after Evening Prayer.

Further Penalties, &c. by Stat. 6 & 7 W. 3. cap. 11.

Tail.

I. Quest. 2. **W**Here Lands are given to a Man and the Heirs of his Body, or to Husband and Wife, and the Heirs of their two Bodies, upon condition, that if such a Man, or such a Husband and Wife, die without Issue, that then the Land should revert to the Donor ; or where Land is given in Frankmarriage, and such a Condition is conceived to be annexed or implied : in all such cases heretofore the Feoffees (after Issue had) had power to alien, and to disinherit the Issue, contrary to the mind of the Donors : Wherefore now it is ordained, that the Will of the Giver (according to the form of the Deed of Gift manifestly expressed) shall be from henceforth observed, so that they to whom the Land was given upon such condition shall have no power to alien the Land so given, but it shall remain to their Issue after their Death, or shall revert to the Giver or his Heirs, if Issue fail : neither shall the second Husband of any such Woman from henceforth have any thing of the Land so given upon condition (after the Death of his Wife) by the Law of England ; nor the Issue of such second Husband and Wife shall succeed in the Inheritance ; but immediately after the Death of the Husband and Wife, unto whom the Land was given, it shall return unto the Issue of the Giver or his Heirs, as aforesaid.

II. Hereupon a new Writ of Formedon in descender is granted in this form : *Præcipe A. quod iuste, &c. reddat E. Manerium de F. cum suis pertinentiis, quod C. dedit tali viro & tali mulieri, & heredibus de ipsis viro & muliere exeuntibus ; or thus ; Quod C. dedit tali viro in liberum maritagium cum tali muliere ; & quod post mortem prædictorum viri & mulieris prædicto B. filio eorum viri & mulieris descendere debeat per formam donationis prædictæ, ut dicit, &c. vel, quod C. dedit tali & heredi-*

bus de corpore suo exantibus, Et quod post mortem illius talis prædicto B. filio prædicti talis descendere debeat per formam, &c.

III. This Act shall extend to Gifts hereafter to be made, and not to Gifts heretofore made, and a Fine hereafter to be levied upon such Lands shall be void in Law: Neither shall the Heir or Reversioner (albeit they be of full age, in England, or out of Prison) need to make their claim. *But this Law, concerning a Fine, is in some sort altered by 32 H. 8. 36, which see in Fines.*

Taxes, Tenths, Fifteens, Benevolences, Ship-Money.

I. Stat. 25 E. 1. Certain Taxes then before taken shall not be taken in Custom, but by the common Assent of the Realm, except ancient Aids and Taxes.

II. Stat. *De Tallagio non concedendo, cap. 1. temp. E. 1.* No Tallage or Aid by us or our Heirs shall be levied without the Will and Assent of the Archbishops, Bishops, Earls, Barons, Knights, Burgesses, and other free Commons of our Realm.

III. Stat. 1 E. 3. Stat. 2. cap. 6. Whereas after Taxes rated, levied, and paid into the Exchequer, Commission of review issued out, by colour whereof the Justices thereto assigned took Fines of the Taxes and others; it is ordained, That from henceforth the People shall be taxed after the old manner, and not otherwise.

IV. Stat. 11 R. 2. 9. No imposition or charge shall be put upon Wool, Leather or Wool-fells, other than the Custom and Subsidy granted to the King in this present Parliament: and if any be, the same shall be annulled: saving always unto the King his ancient Right.

V. Stat. 9 H. 4. 7. Goods shall be chargeable towards the payment of Tenths or Fifteens in the place where they were at the time the same were granted; howbeit none shall be twice charged for his Goods.

VI. Stat. 1 R. 3. 2. The Subject of this Realm shall not be hereafter charged by any Charge called a Benevolence, or any such like Exaction or Imposition whatsoever; and such Imposition heretofore charged upon the Subject shall not be hereafter drawn into precedent or example.

VII. Stat. 19 H. 7. 8. No Mayor, Sheriff, Bailiff, or other Officer, shall distrain, take or levy any Custom called *Scavage*, or *Shewage*, of any Denizen, for any Merchandize before truly customed, nor for the payment thereof let or disturb any Merchant or other (being Denizens) to sell or utter the same Merchandize, in pain of 20 l. to be divided betwixt the King and the Party grieved, or the Prosecutor, which of them will sue first for it.

VIII. How-

VIII. Howbeit, the Mayor and Commonalty of London may take so much Money (of Denizens) for Scavage, as shall be found to be their right by the King and his Council.

IX. Stat. 16 & 17 Car. 1. 14. An Act for declaring unlawful and void the late Proceedings touching Ship-money, and for the vacating of all Records and Process concerning the same.

X. Stat. 13 Car. 2 cap. 4. An Act for a free and voluntary Present to his Majesty, *Exp.* but declared thereby, that no Commissions or Aids of this nature can be issued or levied but by Authority of Parliament ; and that the supply hereby granted shall not be drawn into Example.

Templers.

I. Stat. *De terris Templariorum*, 17 E. 2. Neither the King nor other Lords shall have by Escheat the Lands that were the *Templers*, (which Order was then dissolved) but those Lands shall remain to the Prior and Brethren of the Order of the Hospital of *St. John of Jerusalem*, which Order was then erected.

Tenure.

I. *Magna Charta* 10. None shall distrain for more Service than is due.

II. *Magna Charta* 31. If a Barony escheat to the King, the Tenants that hold of the same (not having other Lands that hold of the King in chief) shall pay like relief, and do like Services to the King after such Escheat, as they paid or did to their former Lords, and not otherwise.

III. *Magna Charta* 32. No Freeman shall give or sell so much of his Land, that of the residue the Lord of the Fee may not have the Services due to him.

IV. *Quia Emptores terrarum*, 18 E. 1. In all Feoffments to one and his Heirs, the Feoffee shall hold his Land of the chief Lord of the Fee by the same Services that the Feoffor held before.

V. Here, if the Feoffment be made of parcel, he shall hold of the chief Lord *pro particula* ; according to the quantity of the Land, and the Feoffor shall be set free for that part.

VI. Howbeit, by such Sales or Purchases of Lands, or any parcels thereof, such Lands shall not come into Mortmain, contrary to the Statute thereof lately made : Neither shall this Act be understood of any other than Lands in Fee-simple.

VII. Stat. 1 E. 3. Stat. 2. 12. From henceforth Lands holden of the King in chief, and aliened without Licence, shall not be forfeited, but a reasonable Fine shall be taken (of such Lands so aliened) in Chancery by due Process.

VIII. Stat. 1 E. 3. Stat. 2 13. Lands holden of the King, as of some Honour, shall not be taken into the King's hands, as if they were holden of the King in chief, as of his Crown.

IX. Stat. 34 E. 3. 15. All Alienations which the Tenants of H. 3. and of other Kings before his time, did make, are confirmed.

X. Stat. 7 E. 4. 5. Lands holden of a common Person by Fealty, Rent, or other Service, coming to the King's hands by Attainder of Treason, and being afterwards granted by the King to another, shall be holden as if such Attainder had not been.

XI. Stat. 12 Car. 2. cap. 23. All Tenures by Knights-service in *Capite*; and Soccage in *Capite*, and the fruits and consequents thereof, shall be taken away; and all Tenures turned into free and common Soccage; and all Conveyances and Devices since the 24th of February 1645, shall be of such effect, as if the Lands and Hereditaments had then been holden in free Soccage only, and all Tenures to be created by the King shall be in free Soccage only, and not in *Capite*.

XII. Saving Rents certain, Heriots or Suits of Court, and Services incident to common Soccage, and such relief in respect of such Rents as is paid in case of a death of a Tenant in common Soccage: and Fines for Alienations due by particular Customs, other than of Lands holden immediately of the King in *Capite*, and saving Tenures in Frank almoign; which also shall not be subject to other Services than now they are, nor Tenures by Copy altered, nor the Services of Grand Serjeanty) other than Wardship, Marriage, Escuage, Voyages Royal, and other Charges incident to Knights-service, and *aide pur faire fitz chevalier Et file marrier*) taken away.

XIII. A Father, under age or of full age of a Child under one and twenty, and not married at the time of his Death, whether then born or in *ventre sa mere*, may by deed in his life-time, or by Will in the presence of two Witnesses, dispose the custody of such Child during Non-age, to any in possession or remainder, other than Popish Recusants; which persons may maintain an Action of Ravishment of Ward or Trespass against wrongful Takers away or Detainers of such Child, and recover damage for the Child's use, and may take into their custody for the use of such Child, the profits of his Lands and Hereditaments, and custody of his personal Estate, according to such Disposition, and bring Actions in relation thereto as a Guardian in common Soccage might do.

XIV. This Act shall not prejudice the Custom of London, nor of any other City or Town Corporate, or of the Town of Berwick, concerning Orphans, nor discharge any Apprenticeship from his Apprenticeship, nor infringe any Title of Honour feudal or other, by which any have or may have right

to sit in the Lord's House of Parliament, as to their Title and sitting in Parliament, and Privilege belonging to them as Peers, *Confirmed 13 Car. 2. cap. 7.*

Tiles.

I. Stat. 17 E. 4. 4. Tile-Earth shall be cast up before the first of *November*, shired and turned before the first of *February*, and not made into Tile before the first of *March*; and shall likewise be tried and severed from Stones, Maln, Marle, and Chalk.

II. A plain Tile shall contain in length ten Inches and an half, in breadth six Inches and a quarter, and in thickness half an Inch half a quarter, at least; A Roof or Cross-Tile in length thirteen inches, and in thickness as before, with convenient deepness accordingly; a Gutter and a Corner-Tile in length ten Inches and an half, with a convenient thickness, breadth and deepness.

III. If any shall sell Tile otherwise made, he shall forfeit to the Buyer the double value thereof, to be recovered by Action of Debt; and besides, shall make fine and ransom at the King's Will.

IV. Justices of Peace shall hear and determin these Defaults and Offences, as well at the Suit of the King, as of the Party grieved, and shall not set less Fine upon an Offender against this Act, than after the rate of 5 s. for every thousand of plain Tile, 6 s. 8 d. for every hundred of Roof-Tile, and 2 s. for every hundred of Corner or Gutter-Tile.

V. The said Justices have also Authority to appoint Searchers of Tile, who shall diligently execute that Office, in pain to forfeit to the King for every default 10 s. And they shall have of every Tile-maker for such search after the rate of 1 d. for every thousand of plain Tile, 6 d. for every hundred of Roof-Tile, and 7. for every hundred of Corner and Gutter-Tile; and shall make presentment of all Defaults found at the next Sessions, which shall be as effectual in Law as a Presentment of twelve Men.

VI. None shall put any Tile to sale before such Search be made, in pain to forfeit the same. And the Justices of Peace have also power to hear and determin the defaults of the said Searchers.

Timber.

I. Stat. 20 Car. 2. cap. 3. An Act for the increase and preservation of Timber within the Forest of Dean. See the Act at large.

Tindale, Ridesdale, and Examsbire.

I. Stat. 2 H. 5. 5. If any Person of *Tindale* or *Examsbire* commit any Murder, Treason, Man-slaughter, or Robbery, or consent thereunto, out of the said Franchises, Process shall be made against him until he be outlawed; and after Outlawry returned, the Justices before whom it is so returned shall make Certificate thereof to the Ministers of the said Franchises, who shall take such Felons, and seize their Lands and Tenements into the hands of the Lords of the same Franchises, as forfeit; but their Lands and Tenements out of those Franchises shall be seized to the use of the King and other Lords (having Franchise there) as forfeit: saving to the King the Forfeitures of such Offenders who to him belong in right of his Crown.

II. Stat. 9 H. 5. 7. The Statute of 2 H. 5. 5. made against Offenders in *Tindale* and *Examsbire*, shall be extended against the like Offenders in *Ridesdale*.

III. Stat. 11 H. 7. 9. The North and South *Tindale*, and all the Lands within the same, shall be guildable, and parcel of the County of *Northumberland*, and no Franchise shall be there, but all the King's Writs and Officers shall be there obeyed.

IV. None shall demise any Lands for Years, Life, or at Will, there, but the Lessor shall before find two Sureties, having at least 40 s. *per Annum* within the County of *Northumberland*, to be bound by Recognizance in 20 l. to the King, to make answer within eight days warning for all such Offences as aforesaid: And the Lessor shall forfeit 40 s. for every Acre otherwise let, to the King and Justices, and such Lease shall be void. The Justices of Peace also shall enquire of such Recognizances aforesaid. *See the Statute at large.*

Tithes.

* I. Stat. *pro Clero* 7. 18 E. 3. No *Scire facias* shall be awarded to warn a Clerk to answer for his Tithes before any secular Judge; saving to him his right.

II. Stat. 1 R. 2. 14. Where, in an Action of Goods carried away, the Defendant maketh his title for Tithes due to his Church, in such case the Plaintiffs general Averment shall be taken, without shewing specially how the same were his Laychattel.

III. Stat. 5 H. 4. 11. The Farmers of Aliens shall pay Tithes to the Parsons and Vicars of the Parishes where the Lands in Farm do lye, notwithstanding they be seized into the King's hands, or any Prohibition made to the contrary.

 IV. Stat.

 IV. Stat. 27 H. 8. 20. If the Judge of an Ecclesiastical Court make complaint to two Justices of Peace (1. Qu.) of any Contumacy or Misdemeanor committed by a Defendant in any Suit there depending for Tithes, the said Justices shall commit such Defendant to Prison, there to remain, till he shall find sufficient surety to be bound (before them) by Recognizance, or otherwise, to give due Obedience to the Process, Proceedings, Decrees and Sentences of the said Court.

V. This Act shall not extend to any Citizen of *London*; neither shall it restrain any Person from having their defence and remedy according to the Ecclesiastical Laws, and the Laws and the Statutes of this Kingdom.

VI. This Act shall not have longer force than till the King and such 32 Persons as he shall appoint, shall have established the Ecclesiastical Laws for the Church of *England*, after which time Tithes shall be paid according to those Laws, and not otherwise.

* VII. Stat. 28 H. 8. 11. The year in which the First-fruits shall be paid to the King, shall begin immediately after the avoidance or vacation of the Benefice; and the Tithes and other Profits of any such Benefice arising during the time of the Vacation shall belong to the Presentee, or his Executors, towards payment of the First-fruits, which if any Archbishop, Bishop or other hinder him to have, he shall forfeit the treble value thereof, to be divided betwixt the King and such Incumbent. Howbeit, such Archbishop, Bishop, Ordinary or other Officer shall be allowed the Charge of the Cure, and of inning Tithes, and other Profits.

VIII. Here also, the Incumbent before his Death may make and declare his Will of the Grain sown by him upon the Glebelands.

IX. But the Successor (upon a Month's warning,) shall have the Parsonage-house and the Glebe not sown.

X. If the Fruits of such Spiritual Promotion received be not sufficient to pay the Curate, the next Incumbent shall do it within 14 days after his Induction.

 XI. Stat. 32 H. 8. 7. All Persons shall duly set forth and pay all Tithes and Offerings, according to the custom of the places where they grow due.

XII. If Tithes or Offerings be not so set out and paid, the Party grieved may convent him that so detains them before the Ecclesiastical Judge, who hath power to hear and determine the matter in question ordinarily or summarily, according to the Ecclesiastical Laws, and give sentence thereupon accordingly.

XIII. Here, if any of the parties appeal, the Judge upon such Appeal shall adjudge to the other party reasonable Costs: and compel the Appellant to satisfy them by Process and Censures Ecclesiastically, taking surety of the other party, to whom the Costs shall be adjudged, to restore the Costs in case the principal Cause pass against him.

XIV. If any Person, after such Sentence given, refuse to pay the Tithes, or Sum of Money adjudged, then two Justices of Peace (1. Qu.) shall (upon Certificate thereof from the Judge) commit the party so refusing to the next Goal, there to remain, until he have found Sureties to be bound by Recognizance (or otherwise before the same Judge) to the King to perform the said Sentence.

XV. Howbeit, none shall be thereby compelled to pay Tithes for Lands or other Hereditaments, which by the Laws and Statutes of this Realm are discharged, and not chargeable with the payment of Tithes: neither shall it extend to the City of London, or the Suburbs thereof.

XVI. In all cases where any Person who hath any Estate of Inheritance, Freehold, Term, Right or Interest, in any Parsonage, Vicarage, or other Ecclesiastical Profit, which now be or hereafter shall be made Temporal, and admitted to be and abide in Temporal Hands, and to Lay-uses, by the Laws and Statutes of this Realm, shall happen to be hereafter outed, or otherwise wronged, from or concerning the same, he or she shall have remedy for the same in the King's Temporal Courts, or other Temporal Court, (as the case shall require) by Writs of *Præcipe quod reddat*, Assize of *Novel disseisin*, *Mortdancesfor*, *Quod ei de forceat*, Writs of Dower, and other original Writs, as the case shall require, in like manner as for Lands, Tenements, and other Hereditaments in such manner to be demanded.

XVII. Also Writs of Covenant, and other Writs for Fines to be levied, and other Assurances to be had and made of Parsonages, Vicarages, and other Profits called Spiritual, shall be devised and granted in Chancery, as have been used for Fines and Assurances of other Lands. Likewise all Judgments given and Fines levied for and of such Parsonages, &c. shall be of like effect as Judgments given, and Fines levied of other Lands.

XVIII. Howbeit a remedy for Tithes or Offerings shall be had in the Ecclesiastical Court, (and not in Temporal Courts) as above by this Act is provided.

XIX. Stat. 37 H. 8. 12. A Confirmation of a Decree made by Thomas Archbishop of Canterbury, and others there named, for the payment of Tithes in London. See the Statute and Decree at Large.

* XX. Stat. 2 & 3 E. 6. 13. The Statutes of 27 H. 8. 20. and 12 H. 8. 7. are confirmed: And every Person shall without Fraud yield and pay all predial Tithes, as hath been used within forty years before the making of this Act, or of right or custom they ought to have been paid.

XXI. None shall take or carry away any Tithes (paid, or that ought to have been paid, as aforesaid) before he hath justly divided and set forth for the Tithe thereof the tenth part

part of the same, or otherwise agreed for the same Tithes with the Parson, Vicar, or other Owner, Proprietor, or Farmer thereof, in pain to Forfeit the treble Value of the Tithes so taken or carried away.

XXII. At Tithing time it shall be lawful for the Owner, (claiming such predial Tithes) his Deputy or Servant, to see his said Tithes be truly set out and severed from the nine Parts, and the same quietly to take and carry away.

XXIII. If any Person carry away his Corn, Hay, or other predial Tithes, before they be set out, or willingly withdraw his Tithes, of the same, or of other things whereof predial Tithes ought to be paid, or to let such Owner to view, take and carry away his Tithes, as aforesaid, by reason whereof they are lost, impaired or hurt; then, upon due proof thereof before a Spiritual Judge, the Party so carrying away, withdrawing, letting or stopping, shall pay the double Value of the Tithes so taken, lost, withdrawn or carried away, besides costs of Suit, to be recovered before such Ecclesiastical Judge according to the Ecclesiastical Laws.

XXIV. Tithe of Cattle feeding in a Waste or Common, where the Parish is not known, shall be paid by the Owner of such Cattle in the Place where he dwells.

XXV. None shall be compelled to pay Tithes for Lands or other Hereditaments, which by the Laws and Statutes of the Realm, or by any Privilege or Prescription, are not chargeable therewith, or are discharged by any composition real.

XXVI. Barren, Heath and Waste Grounds, (other than such as be discharged from Tithe by Parliament) which have heretofore paid no Tithes by reason of Barrenness thereof, but be now improved and converted to Arable Ground or Meadow, shall at the end of seven Years next after such Improvement pay Tithes: Or if they yield some small Tithe before the Improvement, they shall only pay the same small Tithe during the first seven Years, but afterwards shall pay the full Tithe according to such Improvement.

XXVII. Every Person exercising Merchandize, buying and selling, or any other Art or Faculty (being such Persons and in such Places as heretofore within forty Years have used to pay personal Tithes, or of right ought to have paid them, and not Day-labourers) shall yearly, at or before *Easter*, pay for his personal Tithes the Tenth part of his clear Gains, reasonable Charges and Expences being deducted.

XXVIII. Handycraft Men, having used to pay Tithes within forty Years, shall still pay them.

XXIX. The Ordinary hath power to examine him that refuseth to pay his personal Tithes by any lawful means (otherwise than by his own Oath,) concerning the payment of such Tithes.

XXX. Offer-

XXX. Offerings shall be paid (in the Place where the Party dwells) at such four Offering-days as heretofore, within the space of four Years last past have been used for the payment thereof; but in default thereof at *Easter*.

XXXI. Parishes that stand upon or towards the Sea-coasts, the Commodities whereof consist much in Fishing, shall pay their Tithes as they have done within forty Years, and their Offerings, as aforesaid.

XXXII. This Act shall not extend to *London* or *Canterbury*, or their Suburbs, nor to any other Town or Place where the Inhabitants have used to pay Tithes by Houses.

XXXIII. Suits for subtracting or withdrawing of Tithes, and other Profits Spiritual, shall be prosecuted in the Ecclesiastical Court before the Ecclesiastical Judge, who hath power (no Original or Prohibition hanging) to excommunicate the Party disobeying the Sentence; and if he stand excommunicate forty Days, to certify the Excommunication (after Publication thereof at the Place or Parish where such Party dwells) into the Chancery, and thereupon to require Process *De Excommunicato capiendo* to be awarded against the Person so excommunicate.

XXXIV. Before a Prohibition shall be granted, the Party Plaintiff therein shall bring a true Copy of the Libel exhibited into the Ecclesiastical Court concerning that Suit, subscribed with the Hand of the same Party, and there-under shall be written the Suggestion whereupon the Party demanded such Prohibition; and the libel thus ordered shall be delivered to the Justices of the Court where the Prohibition is so demanded: And if such suggestion be not proved to that Court by two sufficient Witnesses within six Months next after such Prohibition granted, the other Party shall (upon request) have Consultation, and double Costs and Damages awarded by the said Court, and may recover such Costs and Damages by Action of Debt.

XXXV. This Act shall not give power to any Ecclesiastical Judge to hold plea of any matter against the meaning of the Statute of *Westm. 2. cap. 5. Articuli cleri, Circumspecte agatis, Sylva cadua*, the Treatise *De regia Prohibitione*, nor of 1 *E. 3. 10.* nor any of them, nor where the King's Court ought of right to have Jurisdiction.

XXXVI. No Tithes of Marriage-goods shall be paid in *Wales*, nor the Marches thereof.

Tobacco.

I. Stat. 12 Car. 2. cap. 34. None shall set or improve Tobacco in *England, Wales, Guernsey, Jersey, Town of Berwick, or Ireland*, on pain to Forfeit it or the Value, or 40 s. for every Rod of Ground so planted, and so proportionably: One half to the King, the other to the Informer.

II. Sheriffs,

II. Sheriffs, Justices of the Peace, Mayors, Bailiffs, Constables, within ten Days after Information of Tobacco set or growing contrary to this Act, shall cause it to be destroyed.

III. They that oppose the Execution of this Act shall Forfeit 5 *l.* to be divided, as aforesaid. In case of Non-payment of Money to be paid by this Act, a Distress shall be taken and sold; and for want thereof the Party shall be committed two Months.

IV. This Act shall not hinder planting Tobacco in Physick Gardens of either University, or other private Garden for Physick or Chirurgery, so as the same exceed not one half Pole in each Garden. *Confirmed 13 Car. 2. cap. 14.*

V. Stat. 15 Car. 2. cap. 7. They that set, plant or sow Tobacco in *England, Wales, Guernsey, Jersey, or Town of Berwick*, shall besides the Penalty of 12 Car. 2. cap. 34. Forfeit 10 *l.* for every Rod of Ground so planted, and so proportionably: One third Part to the King, another to the Poor of the Parish, the other third to the Informer.

VI. Persons resisting the Execution of the Act of 12 Car. 2. cap. 34. shall besides the Penalty therein mentioned, be committed to Goal till they enter into Recognizance with Sureties of 10 *l.* Penalty not to do the like again.

VII. The like *Proviso* for Physick-Gardens, and Gardens for Chirurgery, as in 12 Car. 2. cap. 34.

VIII. Stat. 22 & 23 Car. 2. cap. 26. Justices of Peace shall a Month before every Quarter-Sessions issue Warrants to High-Constables, Petty-Constables, and Tithingmen to make search what Tobacco is then sown, planted or made within their several Limits, and by whom, and to make presentment in Writing upon Oath at the next Quarter-Sessions: Which Presentment being filed by the Clerk of the Peace in open Sessions, shall be a Conviction in Law, unless the Person so pretended (having notice thereof by delivery of a Copy thereof, or leaving one at their Houses in the presence of one or more Witnesses, ten Days before the next Quarter-Sessions) shall traverse such Presentment, and find Sureties to prosecute such Traverse at the Quarter-Sessions next after such Traverse entered.

IX. Constables, &c. and other publick Officers, shall from time to time, within fourteen Days after Warrant from two or more Justices of Peace, calling to them such as they find convenient, destroy all Tobacco planted or growing in any Ground.

X. And if any such Tobacco shall be unconsumed fourteen Days after receipt of such Warrant, the Constables, &c. shall Forfeit 5 *s.* for every Rod of Ground so set, or planted, &c. and proportionably for a greater or lesser quantity: One Moiety to the King, the other to him that will Sue for the same.

XI. Persons

XI. Persons refusing to Assist any Constable, &c. upon Conviction before two Justices of the Peace, shall Forfeit 5 s. to be levied by Warrant from them, by Distress and Sale of Goods, and for want thereof be committed for a Week.

XII. Persons forcibly resisting any Constable, &c. in the due Execution of this Act, upon Conviction before two Justices of the Peace, shall Forfeit 5 l. to be levied by Warrant from them, by Distress and Sale of Goods, and in default thereof be committed for three Months.

XIII. Defendants in Suits commenced for Acting in pursuance of this Act, or that of 12 Car. 2. cap. 34. or 15 Car. 2. cap. 7. may plead the general Issue, and give the special Matter in evidence: And if the Plaintiff be Nonsuit, or forbear Prosecution, or Discontinue, or a Verdict be against him, the Defendant shall recover Costs.

XIV. The like *Proviso* for Physick Gardens and Gardens for Chirurgery, as in the two former Acts.

XV. This Act shall continue nine Years, and to the end of the Sessions of Parliament then next ensuing.

XVI. Stat. 1 Jac. 2. cap. 17. Continued for seven Years, and from thence to the end of the next Session of Parliament.

XVII. Continued from the 13th of February, 1692. for seven Years, and to the end of the next Session, by Stat. 4 & 5 W. & M. Sess. 4. Sect. 6.

Tolls.

I. Westm. 1. 31. 3 E. 1. If excessive Toll be taken in a Market-Town, where it is the King's Town, the Franchise shall be seized; but where it is anothers, if it be done by the Lord's consent, the Franchise shall be seized, as before; but if done by a Bailiff, or other Officer, he shall restore as much more to the Plaintiff as was so taken, and suffer forty Days Imprisonment.

II. Citizens or Burgeses who have the King or his Father's Grant for Murage to inclose their Towns, if they take for Murage more than they ought to do by their Grant, and be thereof attainted, they shall lose their Grant, and be also grievously amerced to the King.

III. Stat. 18 E. 2. Ordinance of Bakers how Toll shall be taken at a Mill.

Towns.

I. Stat. 27 H. 8. 1. A Remedy for repair of decayed Houses and Buildings upon the Watie Ground in Nottingham and Shrewsbury, Ludlow, Bridgenorth, Quinborough, Northampton and Gloucester. See the Statute at large.

II. Stat. 32 H. 8. 18. A Remedy for repair of decayed Houses, and Building upon Waste Ground in *York, Lincoln, Canterbury, Coventry, Bath, Chichester, Salisbury, Winchester, Bristol, Scarborough, Hereford, Colchester, Rochester, Portsmouth, Pool, Linn, Feversham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Exeter, Ipswich, Southampton Great Yarmouth, Oxford, Great Wiccombe, Gildford, Stratford, Kingston upon Hull, Newcastle upon Tyne, Beverly, Bedford, Leicester, Berwick*. See the Statute at large.

III. Stat. 32 H. 8. 19. A like Statute for Re-edifying of *Shaftsbury, Sherborn, Bridport, Dorchester, Weymouth, Plymouth, Plimpton, Barnstable, Tavestock, Dartmouth, Lancaster, Lifford, Lestitbiel, Bodmyn, Truro, Helstone, Bridgwater, Taunton, Somerton, Ilchester, Malden in Essex, and Warwick*. See the Statute at large.

IV. Stat. 33 H. 8. 36. A like Statute for *Canterbury, Rochester, Stamford, Great Grimsby, Cambridge, Derby, Gildford, Dunwich, the Cinque Ports, with the Members, Lewes and Buckingham*. See the Statute at large.

V. Stat. 35 H. 8. 4. A like Statute for *Shrewsbury, Chester, Ludlow, Haverford-West, Pembroke, Derby, Carmarthen, Montgomery, Cardiff, Swanzey, Cowbridge, New-Radnor, Prestend, Brecknock, Monmouth, Malden in Essex, Abergavenny, Usk, Carlion, Newport in Monmouthshire, Lancaster, Preston, Liverpool and Wigan*. See the Statute at large.

VI. Stat. 1 & 2 P. & M. 7. None dwelling in the Country, out of a Corporation or Market-Town, shall sell or cause to be sold by Retail, any Woollen-cloth, Linen-Cloth, Haberdashery-wares, Mercery-wares, in any such Corporation or Market-Town, or the Suburbs or Liberties thereof, (except in open Fairs) in pain to Forfeit for every time so offending 6 s. 8 d. and the whole Wares so Sold, or offered to be Sold; the one Moiety of which Forfeiture shall be to the King and Queen, and the other to the Seiser or Prosecutor.

VII. Howbeit any Person may sell such Wares in the said Places by Whole-sale in gross, and by Retail also, he being made Free of the said Places, or it being Cloth of his own making that is Sold.

VIII. The Liberties of the Universities are saved.

IX. Stat. 18 El. 21. It shall be lawful for any Person freely to buy and sell in *New-Woodstock*, all Woolls and Yarns brought thither upon the usual Markets or Fair-days, and the same to use and employ to their best Profit, notwithstanding any Statute, Law or Usage to the contrary.

Trade.

Trade.

I. Stat. 15 Car. 2. cap. 7. When the Prices of Corn and Grain, Winchester Measure, exceed not these Rates at the Place where they shall be Shipped, viz. the Quarter of Wheat 48 s. of Barly or Malt, 28 s. of Buck-wheat, 28 s. of Oats, 13 s. 4 d. of Rye, 32 s. of Pease and Beans, 32 s. they may be transported: And when they exceed not the said Rates at the Place where they shall be imported, there shall be paid for Custom of every Quarter of Wheat, 5 s. 4 d. of Rye, 4 s. of Barly or Malt, 2 s. 8 d. of Buck-wheat, 2 s. of Oats, 1 s. 4 d. of Pease and Beans, 4 s.

II. And when they exceed not the Prices at the Markets or Places where they shall be bought, all Persons not forestalling nor selling them in the same Market, within three Months after buying them, may buy and lay them up to Sell again without incurring any Penalty.

III No Commodity of the Growth or Manufacture of Europe, shall be imported into any of the King's Plantations which are or shall be in Asia, Africa or America, (Tangier excepted) but what shall have been Shipped in England, Wales, or Town of Berwick, and in English built Shipping, or bought before the 1st of October, 1662. and having such Certificate as is directed in 14 Car. 2. cap. 11. (Vide sup. tit. Customs, Sect. XLVIII. & tit. Ships, Sect. LXXII.) and whereof the Master and three Fourths of the Mariners are English, and carried directly thence to the said Plantations, on pain to lose the same, and if imported by Water, the Vessel also; one Third to the King, the other to the Governor of such Plantation, if there seized or sued for: Else that Third to the King also, the other Third to him that will Seize or Sue for the same in any of the King's Courts in such Plantations, or any Court of Record in England.

IV. But it shall be lawful to lade in such Ships so navigated in any Part of Europe, Salt for the Fishers of New-England, and New-foundland, and in the Maderas and Azores, Wines of the Growth of the said Islands: And in Scotland or Ireland to take in Servants or Horses, and all Victuals of the Growth or Production of the said Places, to Transport them to the said Plantations.

V. They that import by Land any Goods into the said Plantations, shall deliver to the Governor of such Place, or Officer by him appointed, within Twenty four Hours after such Importation, their Names and Surnames, with a true Inventory of such Goods: And no Vessel coming to any such Plantation shall lade or unlade till the Master have made known, as aforesaid, the Ar-

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rival of the Vessel, her Name, his own Name and Surname, and have shewn that she is an *English* built Ship, and navigated, as aforesaid, or produce such Certificate, and have delivered an Inventory of her Lading, with the Places where her Goods were taken in, on pain to lose the Ship and Goods of the Growth or Manufacture of *Europe* not taken in, in *England, Wales,* or Town of *Berwick*, to be recovered and divided, *ut supra*. Governors of such Plantations before entrance upon their charge, shall take an Oath before such as the King shall appoint, to do their utmost to cause this Act to be observed, on pain of being removed; and if having taken such Oath, they offend contrary to this Act, they shall be turned out, and be incapable of the Government of any Plantation, and Forfeit 1000 *l.* one half to the King, the other half to him that will Sue for the same in any the King's Courts there, or Courts of Record in *England*.

VI. Officers of the Customs that give Warrant for or suffer Sugar, Tobacco, Ginger, Cotton-wooll, Indico, Speckle-wood, or *Jamaica* Wood, Fustick, or other Dying Wood of the Growth of any of the said Plantations, to be carried into any other Country, till they have been put on Shoar in some Port, *&c.* in *England, Wales,* or Town of *Berwick*, shall lose their Place and the Value of such Goods; one half to the King, the other to the Informer.

VII. Sea-Coal may be Shipped for any part of them out of *England, Wales,* or Town of *Berwick*, in such Shipping, and navigated, as aforesaid, paying for the Chalder *Newcastle* Measure, 1 *s.* 8 *d.* and for the Chalder *London* Measure 1 *s.* in full of Custom and Poundage. But Security must be given to the Officers of the Customs for landing them in the said Plantations.

VIII. Foreign Coin or Bullion may be exported, making Entry thereof in the Custom-house of the Port, *&c.* out of which, *&c.* without paying any Duty.

IX. For every Head of great Cattle, except of the Breed of *Scotland*, imported after the first of *July*, and before the 20th of *December* in any Year, and every Head of the Breed of *Scotland*, imported after the 24th of *August* and before the 20th of *December* in any Year, there shall be paid to the King 20 *s.* and 10 *s.* to him that will Inform or Seize, and 10 *s.* to the Poor of the Parish where such Seizure or Information shall be made; and 10 *s.* to the King for every Sheep imported between the First of *August*, and 20th of *December* in any Year. This Act, as far as it concerns great Cattle or Sheep, to continue but to the end of the first Sessions of the next Parliament.

X. No fresh Herring, fresh Cod or Haddock, Coal-fish or Gull-fish shall be imported but in Vessels *English* built, or having such Certificate, and navigated, as aforesaid, and which hath been caught in such Vessels, on pain to Forfeit such Fish, and

and the Vessel in which it is imported; one Moiety to the King; the other to him that will Sue or Seize.

XI. For the following kinds of salted or dried Fish imported or caught in other Vessels than as aforesaid, shall be paid by way of Impost these Sums; viz. for Cod-fish, the Barrel 5 s. the Last containing 12 Barrels 3 l. the hundred containing six Score 10 s. for Coal-fish, the hundred containing six Score 5 s. for Lings, the hundred containing six Score 1 l. for White-Herring, the Last containing 12 Barrels 1 l. 16 s. for Haddocks the Barrel 2 s. for Gull-fish the Barrel 2 s.

XII. Cattle of the Breed of the *Isle of Man* may be imported, not exceeding 600 in one Year, and Corn of the Growth of that Island; so the Cattle be landed at *Chester*, *Liverpool*, or *Wivewater*.

XIII. Stat. 22 Car. 2. cap. 13. All Persons may Transport all Sort of Corn and Grain, though the Prices thereof exceed the Rates set down in the Act of 15 Car. 2. cap. 7. paying such Rates as are to be paid when the same might have been transported by 12 Car. 2. cap. 4.

XIV. When the Prices of Corn and Grain at the Times and Places when and where they shall be imported, exceed not the Rates following, there shall be paid for the Custom and Poundage thereof as followeth; viz. Sixteen shillings for a Quarter of Wheat, not exceeding the price of 53 s. and 4 d. and 8 s. when it does exceed that price, and is not above 4 l. the Quarter; and 16 s. for a Quarter of Rye, not exceeding the price of 40 s. and 16 s. for a Quarter of Barly or Malt, not exceeding the price of 32 s. and 16 s. for a Quarter of Buck-wheat, not exceeding the price of 32 s. and 5 s. 4 d. for a Quarter of Oats, not exceeding the price of 16 s. and 16 s. for a Quarter of Pease or Beans, not exceeding the Sum of 40 s. each Quarter to contain eight Bushels, and each Bushel eight Gallons.

XV. But when the prices exceed these Rates, there shall be answered the Duties payable before this Act.

XVI. There shall be paid for the Custom of a hundred Weight of *French* or *Pearl* Barely 5 s.

XVII. Continued by Stat. 2 W. & M. cap. 4.

XVIII. Continued by Stat. 6 W. & M. cap. 13.

XIX. Continued by Stat. 8 & 9 W. 3. till the 1st Day of August, 1706.

XX. Continued by 1 Ann. cap. 13. till 1 Aug. 1710. Continued by 5 Ann. cap. 27. till 1 Aug. 1712.

XXI. Stat. 25 Car. 2. cap. 7. All the King's Subjects of *England*, *Wales*, and Town of *Berwick*, and other Persons residing here, may Trade to and from *Greenland* and those Seas, to take Whales, and other Fish, and Import all sorts of Oil, Blubber and Fins thereof, and exercise all other Trade to and from those Parts.

XXII. Any

XXII. Any Persons, Natives or Foreigners, may import Train-Oil or Blubber of *Greenland* and parts adjacent, or of *Newfoundland*, or any other the Kings Plantations, made of any Creature living in the Seas, and Whale-fins caught in Vessels belonging to *England, Wales, or Town of Berwick*, and imported in such Ships, without paying any Duty; and for the Tun of such Oil taken by Shipping belonging to any of the Kings Plantations, and imported in such Shipping, there shall be paid 6*s.* and for every Tun of Whale-fins taken and imported in such Shipping, 50 *s.* and for the Tun of such Oil taken by the said Shipping, but imported in Shipping belonging to *England, Wales, or the Town of Berwick*, 3 *s.* and for every Tun of Whale-fins taken and imported in such Shipping, 25 *s.* and for the Tun of such Oil and Blubber of Foreign Fishing, 9*l.* and for every Tun of Whale-fins, 18 *l.* and no more.

XXIII. Any Vessel belonging to *England, Wales, or the Town of Berwick*, and whereof the Master shall be an *English* Man, and inhabiting in the Places aforesaid, after the First of *May*, 1673. and until the 25th of *March*, 1683. employed for catching Whales, during such Voyage may be Navigated with one Moiety of the Harpineers, and the one Moiety of the rest of the Mariners only *English*, and yet shall pay no other Custom for the Oil, Blubber and Fins caught and imported, than if it had been Navigated with Three fourths of the Mariners *English*.

XXIV. May be Navigated with one third *English* by Statute 4 & 5 *W. & M. Sess. 4. cap. 17. Sect. 27.*

XXV. No Vessel belonging to *England, Wales, or Town of Berwick*, shall enjoy any Benefit by this Act, unless she did proceed on her Voyage from *England, &c.* and was victualled in some of those Places, to be attested by the Collector of the Port where she was victualled.

XXVI. If any Vessel shall come to any of the Kings Plantations, to ship any Sugar, Tobacco, Cotton-Wooll, Indico, Ginger, Fustick, or other Dying Wood of their Growth, and Bond shall not be first given with one Surety to bring the same to *England, Wales, or the Town of Berwick*, there shall be answered to the King these Duties following, *viz.* for Sugar white, the Hundred weight, containing 112 *l.* 5 *s.* and brown Sugar and Muscavadoes, the Hundred weight, containing *ut supra*, 1 *s.* and 6 *d.* for Tobacco the pound 1 *d.* for Cotton-Wooll the pound one half penny, for Indico the pound 2 *d.* for Ginger the Hundred weight, containing a hundred and twelve pounds, 1 *s.* for Logwood, the like weight, 5 *l.* for Fustick, and all other Dying Wood, the like weight, 6 *d.* and for every pound of *Cocoa* Nuts 1 *d.* to be paid where and to whom shall be appointed in the said Plantations before Landing thereof; and under such Penalties to Officers, and upon Goods, as for Non-payment or Defrauding the King of his Customs in *England*.

XXVII. The several Duties hereby imposed shall be caused to be levied by the Commissioners of the Customs in *England*, under the Authority and Directions of the Lord Treasurer or Commissioners of the Treasury.

XXVIII. If any shall not have Monies to pay the Duties aforesaid, the Collectors may accept such a Proportion of the Commodities as shall amount to the value thereof.

XXIX. All Persons, Natives or Foreigners, may Trade to and from *Sweden, Denmark and Norway*.

XXX. Any Subject of this Realm may be admitted into the Fellowship of the *Easland* Merchants, paying for his Admission 40 s.

XXXI. Continued by Stat. 2 W. & M. cap. 4.

XXXII. Continued by Stat. 6 W. & M. cap. 1. s. 3.

XXXIII. Continued by Stat. 8 & 9 W. 3. till 1 Aug. 1706.

XXXIV. Continued by 1 Ann. cap. 13. till 1 Aug. 1710. Continued per 5 Ann. cap. 27. till 1 Aug. 1712.

XXXV. Stat. 1 Jac. 2. cap. 19. For Ascertaining the Prices of *English* Corn at the times and places, when and where Foreign Corn shall be imported, (*vid. Stat. 22 Car. 2. cap. 13. sup. Sect. XIII, XIV, XV, XVI.*) be it Enacted, That after *Michaelmas* next it shall be lawful for the Justices of Peace for the several Counties, wherein Foreign Corn or Grain shall be imported; and they are hereby required at their next Quarter-Sessions, after *Michaelmas* and *Easter-day* yearly, by the Oaths of two or more Persons of the respective Counties, being no wise concerned in the importing of Corn, and each having 20 l. *per annum* Freehold, or a Leasehold of 50 l. *per annum*; and being skilful in the Prices of Corn, and by such other means as to them shall seem fit, to determine the Market-price of middling *English* Corn, and to certify the same with two such Oaths, to the Chief Officer of the Customs residing in the respective Ports, where, &c. to be hung up in some publick place in the Custom-House.

XXXVI. And the Duty of Foreign Corn imported, shall be paid according to the Prices contained in such Certificate.

XXXVII. All that by this Act is appointed to be done by the Justices at their Quarter-Sessions, shall be done in *London* in *October* and *April*, by the Mayor, Aldermen, and Justices of Peace there; and the Persons making such Oath shall be such as are not concerned in the said Corn imported, but shall be substantial House-keepers in *Middlesex* or *Surry*.

XXXVIII. Continued by Stat. 2 W. & M. cap. 4.

XXXIX. Continued by 6 W. & M. cap. 1. Sess. 3.

XL. Continued by Stat. 8 & 9 W. 3. till 1 Aug. 1706.

XLI. Continued by 1 Ann. cap. 13. till 1 Aug. 1710. Continued per 5 Ann. cap. 27. till 1 Aug. 1712.

 Treason.



Treason.

I. Stat. De Proditionibus 2; E. 3. Stat. 3. cap. 2. To compass or imagine the Death of the King, Queen, or Prince; to violate the Queen, the Kings eldest Daughter unmarried, or the Princes Wife; to levy War against the King, or adhere to his Enemies within the Realm, giving them Aid or Comfort within the Realm, or elsewhere; to Counterfeit the Kings Great Seal or Privy Seal, or his Money; to bring false Money into this Realm, counterfeit according to the Money of *England*, (knowing the said Money to be false) to Merchandize or make Payment with it; to kill the Chancellor, Treasurer, or any Justice of either Bench, Justices in *Eyre*, Justices of Assize, or any other Justices assigned to hear and determine, being in their Places doing their Offices; is by this Statute declared to be High-Treason; And in the said Cases that ought to be adjudged Treason, which extends to the King, or his Royal Majesty.

II. Forfeitures of Escheats pertain to the King, of whomsoever the Lands are holden.

III. There is another sort of Treason (*viz.* Petty-Treason) when a Servant kills his Master, a Wife her Husband, a Secular or Regular his Prelate to whom he oweth Faith and Obedience. In such Cases the Escheat pertains to every Lord of his own Fee.

IV. If any other Case supposed Treason shall happen before any Justices, they shall defer the Judgment thereof, until the Case may be declared before the King and his Parliament, whether it ought to be adjudged Treason or Felony.

V. To ride armed with Men of Arms, with purpose to kill, rob, or imprison another until he hath made Fine and Ransom, shall not be adjudged Treason, but Felony or Trespass, as hath been heretofore used; and if any such Attempt hath been heretofore adjudged Treason, and thereupon Lands seized into the Kings hands, which held of other Lords, they shall be restored to such Lords, saving to the King his Year and Waste.

VI. Stat. 1 H. 4. 10. Treason shall not be adjudged otherwise than as it was ordained by 25 E. 3.

VII. Stat. 26 H. 8. 13. pars inde. Treason committed out of this Realm shall be inquired of in such County, and before such Persons, as the King shall appoint by Commission; and upon every Indictment and Presentment so found and certified into the Kings Bench, like Process and other Circumstance shall be there had and made against the Offender, as if such Treason had been found to have been committed within the

Realm. Also all Process of Outlawry within the Realm against such Offender (being Resiant out of the Realm at the time of the Outlawry pronounced) shall be as good in Law, as if such Offender had been resident within the Realm at the time of the Process awarded, and such Outlawry pronounced.

VIII. Every such Offender being lawfully convicted by Presentment, Confession, Verdict, or Process of Outlawry, shall Forfeit to the King all such Lands, Tenements and Hereditaments, which he shall have of any Estate or Inheritance in use or possession, by any Right, Title or Means, within the Kings Dominions, at the time of such Treason committed, or after.

IX. The Rights, Titles, Interests, Possessions, Leases, Rents, Offices, and other Profits of all Persons, their Heirs and Successors, (except of the Offenders, or others claiming to their use) are saved.

X. Stat. 33 H. 8. 20. If any Person commit High-Treason when he is of perfect Memory, and after Accusation, Examination, and Confession thereof before any of the Kings Council, shall fall into Lunacy, he shall be enquired of in any County where the King by his Commission shall assign; and if he be there indicted, he shall be there arraigned without his Personal Presence; and if he be found guilty, he shall suffer Death, and Forfeit as if he had been of perfect Memory. *But this is altered by 1 & 2 P. M. 20. which see after.*

XI. If any Person be attainted of High-Treason by the Common Laws or Statutes of this Realm, such Attainder by the Common Law shall be of as good force, as if it had been done by Parliament, and the King shall have as much benefit thereby, viz. of Lands, Tenements, Hereditaments, Goods, Chattels, Uses, Rights, Entries, Conditions, Possessions, Reversions, Remainders, and all other things of such Offender, and shall be as well adjudged in actual and real Possession of all such things of the Offender; which the King ought or might lawfully have, or which the Offender ought or might lawfully lose or forfeit, as if he had been attainted by the Parliament, without any Office or Inquisition to be found of the same.

XII. The Right, &c. of all others, (except the Offenders, &c.) is saved.

XIII. Stat. 35 H. 8. 2. All Treasons, Misprisions of Treasons and Concealments of Treason committed out of the Realm, shall be enquired, heard and determined before the Justices of the Kings Bench, by lawful Men of the County where the Bench shall then sit, or before Commissioners in such County, as the King shall assign by lawful Men of the same County, in like manner as if the Offence had been committed in the same Shire where

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it is so enquired, heard and determined. But here, a Peer shall be tried by his Peers.

XIV. Stat. 1 E. 6. 12. All former Statutes which make any Offence Treason or Petty-Treason, are repealed, save only what is so made by 25 E. 3. Stat. 3. cap. 2. and by this Statute.

XV. It shall be High-Treason, to affirm by Writing, Printing, or Deed, that the King is not Supreme Head of the Church of England and Ireland, or that any other is. *But this Clause is repealed by 1 P. M. 8.*

XVI. It shall be High-Treason to interrupt any Person to whom the Crown is limited, by 35 H. 8. 1. *But this is also expressly repealed by the general words of 1 M. Sess. 1.*

XVII. If any compass to depose the King, or do affirm that he ought not to be King; for the first Offence he shall Forfeit his Goods, and suffer Imprisonment at the Kings Will; for the second he shall lose the Issues of his Lands during Life, and suffer perpetual Imprisonment; and for the third, shall be guilty of High-Treason. *But so much hereof as concerns Treason, Petty-Treason, or Misprision of Treason, is also repealed by the general words of 1 M. Sess. 1.*

XVIII. 5 & 6 E. 6. 11. It is High-Treason to affirm by Writing, Printing, Painting, Carving or Graving, that the King is an Heretick, Schismatick, Tyrant, Infidel, or Usurper of the Crown, or rebelliously to detain from the King any of his Castles, Holds, Ships, Ordinances, Artillery, or other Fortification of War. *But this part of this Statute is repealed expressly by 1 M. Sess. 1.*

XIX. Treason committed out of the Realm shall be inquired of in such County, and before such Persons, as the King shall appoint by Commission; and upon every Indictment and Presentment so found and certified into the Kings-Bench, like Process and other Circumstances shall be there had and made against the Offender, as if such Treason had been found to have been committed within the Realm. Also all Process of Outlawry within the Realm against such Offender (being resiant out of the Realm at the time of the Outlawry pronounced) shall be as good in Law, as if such Offender had been resident within the Realm at the time of the Process awarded, and such Outlawry pronounced.

XX. If the Party within one year after the Outlawry or Judgment given thereupon, yield himself to the Chief Justice of England, and offer to traverse the Indictment or Appeal whereupon he was so outlawed, he shall be admitted to such traverse; and being thereupon acquit, shall be discharged of the Outlawry, and all Forfeitures by reason thereof.

XXI. The Offender in Treason, being lawfully convicted thereof, shall Forfeit to the King all such Lands, Tenements and Hereditaments as he shall have of an Estate of Inheritance in his own Right in use or possession, in the Kings Dominions, at the time of the Treason committed, or at any time after.

XXII. Concealment of Treason shall be deemed Misprision of Treason. *But quære whether this Clause be not also repealed by the general words of 1 M. 1.*

XXIII. None shall be attainted of Treason but by the Testimony of two lawful Accusers, who shall be brought in person before the Party accused; unless he will willingly without Violence confess the Offence.

XXIV. Here, the Right of all others is saved.

XXV. The Wife shall lose her Dower, where the Husband is attainted of Treason, so long as the Attainder continues in force.

XXVI. Stat. 1 M. Sess. 1. No Act or Offence shall be adjudged Treason, Petty-Treason, or Misprision of Treason, but such as be declared to be so by 25 E. 3. Stat. 5. cap. 2.

XXVII. Stat. 1 M. Sess. 2. 6. To counterfeit any Foreign Coin (made current in this Realm) or the Queens Signet Manual, Privy Signet, or Privy Seal, shall be adjudged High-Treason; and all Counsellors, Procurers and Abettors thereunto, shall also be deemed Traitors.

XXVIII. Stat. 1 & 2 P. M. 10. Trial of Treason shall be according to the course of the Common Law, and not otherwise.

XXIX. The Right of all others is saved.

XXX. Concealment of High-Treason shall be judged Misprision of Treason, and shall incur Punishment accordingly.

XXXI. Also in Cases of High-Treason concerning Coin, and for Counterfeiting the King or Queens Signet, Privy Seal, Great Seal, or Signet Manual, such Trial shall be observed, as heretofore hath been used by the Common Law.

XXXII. Stat. 1 & 2 P. M. 11. If any Person bring from beyond Sea into this Realm, or any of the Dominions thereof, any false or counterfeit Coin, of Money, (allowed to be current in this Realm) knowing it to be so, with intent to utter the same here by Merchandizing or otherwise, both he and his Accessaries shall be adjudged Offenders in High-Treason; and shall be adjudged and convicted, or attainted for the same by such Evidence, and in such Form, as hath been used within this Realm before the First of E. 6.

XXXIII. Stat. 5 El. 11. Clipping, Washing, Rounding, or Filing, (for lucre sake) any of the proper Monies or Coins of this Realm, or the Dominions thereof, or of Foreign Monies or Coins (allowed to be current here) shall be adjudged High-Treason; and the Offender herein, together with his Accessaries, being thereof

thereof attainted, shall suffer Death, forfeit all his Goods, and his Lands also during Life.

XXXIV. They who have any Grant of Forfeitures of Lands or Goods within any Liberty or Precinct, shall in this case also enjoy them.

XXXV. These Offences make no Corruption of Blood, nor Forfeiture of Dower: And here, Trial of a Peer shall be by his Peers.

XXXVI. Stat. 18 EL. 1. If any Person shall (for lucre-sake) by any Ways or Means whatsoever impair, diminish, falsifie, scale or lighten the Coins of these Dominions, or the Coins of any other Realms (allowed to be current here, during the time they are so allowed) it shall be adjudged Treason, and the Offenders therein, their Counsellors, Consenters and Aiders, shall suffer Death, forfeit all their Goods and Chattels, and their Lands also during Life.

XXXVII. Howbeit, this Offence shall cause no Corruption of Blood, or Forfeiture of Dower; and the Trial of a Peer shall be by his Peers.

XXXVIII. Stat. 29 EL. 2. No Record of Attainder of Treason shall be reversed, where the Party attainted is executed for the same Offence.

XXXIX. Stat. 13 Car. 2. cap. 1. If any during the Kings Life, intend Death or Destruction, or any bodily Harm tending to Death or Destruction, maim or wounding, or restraint of the Kings Person, or to depose him from the Style or Honour of the Imperial Crown of any of his Dominions, or to levy War against him, or to move any Strangers to invade any of his Dominions under his Obeisance, and any such Intentions declare by Printing, Writing, Preaching or advised Speaking, such Persons being convicted upon the Oaths of two Witnesses upon Trial, or otherwise attainted by Law, shall be adjudged Traitors.

XL. No Person by virtue of this Act shall incur any Penalty, unless he be prosecuted within Six Months after the Offence committed, and indicted within Three Months after such Prosecution.

XLI. The Witnesses at the Offenders Arraignment shall be brought before him Face to Face.

Trespafs.

I. Stat. of *Gloucester*, cap. 8. 6 E. 1. Sheriffs shall plead Pleas of Trespafs in their Counties, as they have been accustomed to be pleaded.

II. None shall have Writs of Trespafs before Justices, unless he swear by his Faith, that the Goods taken away were worth 40 s. at least.

III. If he complain of beating, he shall swear by his Faith that his Plaint is true; but for Maims and Wounds, a Man shall have his Writ, as before hath been used.

IV. The Defendants in such Pleas may make their Attornies, where Appeal lieth not; so that if they be attainted of Trespafs being absent, the Sheriffs shall be commanded to take them, and they shall incur like pain, as they should have had if they had been present at the Judgment given.

V. If the Plaintiffs in such Trespasfes cause themselves to be Essoigned after the first appearance, day shall be given them till the coming of the Justices, and the Defendants in the mean time shall be in peace.

VI. In such Pleas, and others where Attachment and Disfranchises do lye, if the Defendant Essoign himself of the Kings Service, and do not bring his Warrant at the day given by the Essoign, he shall recompence the Plaintiffs Damages for his Journey, 20 s. or more at the discretion of the Justices, and besides shall be grievously amerced to the King.

VII. Stat. 43 *El.* 7. If any shall be convicted by his own Confession, or by the Testimony of one Witness upon Oath, before one Justice of Peace or Head Officer, to have unlawfully cut and taken away any Grain growing, robbed any Orchard or Garden, digged up or taken away any Fruit-trees, broken any Hedges, Pales, or other Fence, cut or spoiled any Woods or Underwoods, standing and growing, or the like, or to have been accessory thereunto, he shall for the first Offence pay unto the Party grieved such Damages, and within such time as by the said Justice or Head Officer shall be appointed: And in case the Party offending shall not by the said Justice or Officer be thought able to discharge the said Damages, or shall not discharge them according to the Order, then shall the said Offender be by them, or either of them, (respectively) committed to the Constable, or other Officer of the Place where the Offence was committed, or the Party apprehended, to be whipped. And for every other Offence committed afterwards, and proved as aforesaid, the Party offending shall receive the like Punishment of Whipping.

VIII. The

VIII. The Constable, or other inferior Officer, that herein refuseth or neglecteth to do his Duty, shall by any such Justice of Peace or Head Officer be committed to Prison without Bail, till he whip, or cause to be whipped, the Party offending, as is above limited.

IX. No Justice of Peace shall execute this Statute for Offences done to himself, unless he be associated with one or more Justices of Peace whom the Offence doth not concern.

X. Stat. 21 Jac. 1. 16. pars inde. In all Actions of Trespass, *Quare clausum fregit*, wherein the Defendant or Defendants shall disclaim in his or their Plea to make any Title to the Land in which the Trespass is by the Declaration supposed to be done, and where the Trespass is by negligence or involuntary, the Defendant or Defendants shall be admitted to plead a Disclaimer, and that the Trespass was done by negligence or involuntarily, and to render or offer sufficient amends for such Trespass before the Action brought; whereupon, or upon some of which, the Plaintiff or Plaintiffs shall be forced to joyn Issue, and if the said Issue be found for the Defendant or Defendants, or the Plaintiff or Plaintiffs being non-suited, such Plaintiff or Plaintiffs shall be clearly barred from the said Action or Actions, and all other Suits concerning the same.

Trial.

I. Stat. 9 E. 3. Stat. 1. cap. 4. Whereas many be delayed in their Actions, for that the Tenants or Defendants plead in Bar a Release, Quit-claim, or other special Deed, made within a Franchise, where the King's Writ runneth not: It is Enacted, That when such Deeds are shewed forth in Bar of an Action, and bear Date within a Franchise, albeit the Witnesses named in the Deed be of the Franchise, yet if the Deed be denied, Process shall be awarded in the Court where the Plea depends, to cause the Country and the Witnesses to appear; and if the Witnesses come not at the great Distresses returned, notwithstanding such absence of the Witnesses the Justices shall not let to proceed to the taking of the Inquest, as well as if such Deed did bear Date within the County where the Plea was moved, and that the Witnesses were of the same County.

II. Stat. 8 H. 6. 29. The Statute of 28 E. 3. (*which see in Staple*) ordering that an Inquest shall be *De medietate lingua* where an Alien is party, is confirmed: And it is by this Act farther declared, That the Statute of 2 H. 5. 3. (*which see in Jurors*) doth only extend to Inquests taken between Denizen and Denizen; so that an Alien may be put upon Inquests according

cording to the Statute of 28 E. 3. Albeit he have not Lands of the yearly value of 40 s.

III. Stat. 26 H. 6. 9. Trial of Dutcheſſes, Counteſſes and Baroneſſes, for Treason or Felony, ſhall be as Noblemen, Peers of the Realm, and not otherwiſe, notwithstanding the Statute of *Magna Charta*, cap. 9. which mentioneth Men only to be Tried by their Peers. See the Chapter in *Magna Charta* in Accuſation.

IV. Stat. 4 H. 8. 2. pars inde. Where a Murderer or Felon (to delay his Arraignment) pleads that he was taken out of a privileged Place in a foreign County, and it is alledged by the King's Attorney (or ſome other in the King's behalf) that he was taken in the County where he is ſo to be arraigned, they ſhall be tried by the Inqueſt who are to try the Murder or Felony, and before the ſame Juſtice; and if it be found that he was taken in the ſame County, ſuch Foreign Plea ſhall do him no advantage or benefit.

V. Stat. 27 H. 8. 4. Murder and Robberies committed by Pirates upon the Sea, or in any other place where the Admiral pretends Jurisdiction, ſhall be inquired into, tried, heard and determined, in ſuch Places and Counties within the Realm as ſhall be limited by the King's Commiſſion, in like manner as if ſuch Offences were done at Land. And ſuch Commiſſions (being under the Great Seal) ſhall be directed to the Lord Admiral, his Lieutenant or Deputy, and to three or four ſuch others as the Lord Chancellor ſhall name.

VI. The ſaid Commiſſioners, or three of them, have power to inquire of ſuch Offences by twelve lawful Men of the County, ſo limited in their Commiſſion, as if ſuch Offences were done at Land within the ſame County; and every Indictment ſo found and preſented ſhall be good in Law; and ſuch Order, Proceſs, Judgment and Execution, ſhall be uſed, had, done and made thereupon, as againſt Offenders for Murder or Felony done at Land: Alſo the Trial of ſuch Offences (if they be denied) ſhall be had by twelve Men of the County, limited in the ſaid Commiſſion, (as aforeſaid) and no Challenge ſhall be had for the Hundred: And ſuch as ſhall be convicted of ſuch Offences, ſhall ſuffer Death without Benefit of Clergy, and forfeit Lands and Goods, as in caſe of Felonies and Murders done at Land.

VII. This Act ſhall not prejudice any Perſon or Perſons (urged by neceſſity) for taking Viſtual, Cables, Ropes, Anchors or Sails, out of another Ship that may ſpare them, ſo as they either pay ready Money or Money worth for them, or give a Bill for the payment thereof, viz. if they be taken on this ſide the Streights of *Morecco*, within four Months; but if beyond, within twelve Months.

VIII. When

VIII. When any such Commission shall be sent to any place within the Jurisdiction of the *Cinque Ports*, it shall be directed to the Warden of the said Ports, or his Deputy, with three or four other Persons, as the Lord Chancellor shall name: And the Inquisition and Trial of such Offences there shall be made and had by the Inhabitants of the said Ports, and the Members of the same.

IX. Stat. 28 H. 8. 15. This Act is *verbatim* the same with 27 H. 8. 4. save only that it extends as well to Treasons, and all other Capital Offences committed within the Admiral's Jurisdiction, as unto Felonies, Robberies and Murders there done. See 1 An. Stat. 2. cap. 9. Tit. *Felons*, Sect. 14. 15.

X. Stat. 33 H. 8. 12. The manner of the Trial and Punishment of Murder and Blood-shed within the King's Court. See the Statute at large.

XI. Stat. 33 H. 8. 23. If any Person, being examined before the King's Council, or any three of them, upon any Treason, Misprision of Treason, or Murder, doth confess the same, or by the said Council is vehemently suspected to be guilty thereof; in this Case the King shall direct a Commission of *Oyer* and *Terminer* to such Persons, and into such County or Place as he pleaseth, for the speedy Trial, Conviction or Deliverance of such Offenders. And here, no Challenge for the County or Hundred shall be allowed; but a Juror may be challenged, if he have not Free-hold worth 40 s. *per Annum*. In this Case also the Trial of a Peer shall be by his Peers.

XII. Stat. 2 & 3 E. 6. 24. Where any is feloniously stricken or poisoned in one County, and dieth of such Stroke or Poisoning in any other County, an Indictment thereof found by Jurors of the County where he dies shall be as good in Law, as if the Stroke or Poisoning had been in the County where the Party so dieth: And Justices of Goal-delivery, and *Oyer* and *Terminer* in the County where such Indictment is taken, as also the Justices of the King's Bench, before whom such Indictment is removed, may proceed thereupon in all points, as if such Stroke or Poisoning and Death had all happened in one and the same County.

XIII. Also an Appeal may be commenced, taken and sued in the County where the Party so stricken or poisoned shall die, as well against the Principal as Accessary; in whatsoever County such Accessary be guilty thereof: And the Justices before whom such Appeal is prosecuted (within the Year and Day after the Offence committed) shall proceed against every such Accessary in the County where such Appeal is so taken, in like manner as if the Offence of such Accessary had been committed in the same County, as well concerning Trial by Jurors, upon the Offenders Plea of Not-guilty, as otherwise.

XIV. Where

XIV. Where any Murder or Felony is committed in one County, and more Persons be accessary thereunto in another County, an Indictment found and taken against such Accessary before Justices of Peace, or other Commissioners in the County where such Person is Accessary, shall be as good in Law, as if the principal Offence had been committed in the same County.

XV. The Justices of Goal-delivery, or Oyer and Terminer, (or two of them) of the County where the Party so became accessary, shall (upon request) write unto the *Custos Rotulorum* where the Principal shall be attainted or convicted, to certify them whether the Principal shall be attainted, convicted, or otherwise discharged; and then the Justices of Goal-delivery, Oyer and Terminer, or others authorized, shall proceed upon every such Accessary in like manner, as if both the principal Offence and Accessary had been committed in the County where the Party so became accessary; and thereupon every such Accessary shall answer upon his Arraignment, and receive such Trial, Judgment and Execution, and suffer such Pains and Forfeitures as are used in other cases of Felony.

Vacations of Bishopricks.

I. *Magna Charta*, Patrons of Abbeyes shall have the Custody of them in time of Vacation.

33. 9 H. 3. II. *Stat. pro Clero*, 4. 14 E. 3. Escheators shall preserve from Waste and Destruction the Possessions of Archbishopricks, Bishopricks, and other Prelacies, during their Vacations, and the Chancellor and Treasurer shall demise them to the Dean and Chapter, or Prior and Convent, before any other, at a reasonable Rate, without Fine; but if they will not take them, then shall the said Chancellor and Treasurer cause them to be preserved by the said Escheators, or others, and the reasonable Profits thereof to be answered to the King.

III. *Stat. pro Clero*, 5. 14 E. 3. This Chapter is also for demising them to the Dean and Chapter, or Prior and Convent, at as reasonable Rate, and without Fine, as before, and that the Escheator, or other Minister, shall not enter or molest them.

¶ *Uaga*.

Vagabonds, Rogues, Beggars, and Poor People.

* I. Statute 39 *El.* 4. Justices of Peace within every County and Corporation, have power in Sessions to give order for Erection of Houses of Correction, and also for the Maintenance and Government of the same, and for the Punishment of Offenders which shall be thither committed.

II. All Scholars and Sea-faring Men which beg; all wandering Persons which either beg or use unlawful Games and Plays, feign themselves to have skill in Physiognomy, Palmestry, or the like, or pretend to tell Fortunes; all Persons that are or pretend to be Collectors for Goals, Hospitals, &c. all Fencers, Bear-wards, Common Players and Minstrels wandering abroad, other than such as shall be authorized by Noblemen under their Hands and Seals; all Juglers, Tinkers, Pedlars and Petty Chapmen wandering abroad; all Labourers which wander and refuse to work for Wages reasonably taxed, having no Living otherwise to maintain themselves; all Persons delivered out of Goals, which beg for their Fees, or otherwise do travel begging; all which wander abroad begging, pretending loss by Fire, or otherwise; and all such Persons (not being Felons) wandering and pretending themselves to be *Egyptians*, shall be adjudged Rogues, Vagabonds, and sturdy Beggars.

III. If any such Vagabond shall be taken begging, wandering, or misordering him or her self, he or she, by the Appointment of any Justice of Peace, Constable, Headborough or Tything-man there, (the two last being assisted by the Minister, and one other of the Parish) shall be stripped naked from the Middle upwards, openly whipped till their Body be bloody, and forthwith sent the next way from Parish to Parish, by the Officers of each Parish towards the place of their Birth: but if it cannot be known, then towards the place where they last dwelt, by the space of one whole Year before such Punishment; and if that cannot be known, then to the Town through which they last passed without Punishment. And if it cannot be discovered where they were born, or last dwelt, as aforesaid, then are they to be conveyed by the Officer there to the House of Correction, or Common Goal of the County, to be employed in Work, or placed in some Service, and so to continue for the space of one Year; or in case they be not able in Body, that Town is to keep them till they may be placed in some Alms house within the same County.

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Vagabonds, Rogues, Beggars, and Poor People.

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III. If any such Vagabond shall be taken begging, wandering, or misordering him or her self, he or she, by the Appointment of any Justice of Peace, Constable, Headborough or Tything-man there, (the two last being assisted by the Minister, and one other of the Parish) shall be stripped naked from the Middle upwards, openly whipped till their Body be bloody, and forthwith sent the next way from Parish to Parish, by the Officers of each Parish towards the place of their Birth : but if it cannot be known, then towards the place where they last dwelt, by the space of one whole Year before such Punishment ; and if that cannot be known, then to the Town through which they last passed without Punishment. And if it cannot be discovered where they were born, or last dwelt, as aforesaid, then are they to be conveyed by the Officer there to the House of Correction, or Common Goal of the County, to be employed in Work, or placed in some Service, and so to continue for the space of one Year ; or in case they be not able in Body, that Town is to keep them till they may be placed in some Alms house within the same County.

638 Vagabonds, Rogues, Beggars, &c.

IV. After which whipping, the Vagabond shall have a Testimonial under the Hand and Seal of the said Justice, Constable, Head-Officer, Tything-man and Minister, or any two of them, testifying the Day and Place of his Punishment, the Place to which he is to be conveyed, and the time limited for his Passage thither; which time if by his own default he exceed, he shall from time to time incur the like Punishment, till he arrive at the Place limited; the substance of which Testimonial shall be registred by the said Minister, in a Book provided for that purpose, in pain of 5 s.

V. If any such Rogue seem dangerous, or will not be reformed, two Justices of Peace (one *Quorum*) shall commit him to the House of Correction; and if at the next Quarter-Sessions by the more part of the Justices there he shall not be thought fit to be delivered, he shall by them be banished, and at the charge of that County shall be conveyed to such Parts beyond the Seas, as shall by six or more of the Privy Council for that purpose be assigned, whereof the Lord-Keeper or Treasurer to be one; otherwise adjudged to the Gallies of the Realm, as the said Justices shall think fit. And if a Rogue so banished return without Licence, he shall suffer as a Felon, to be tried in the County where he shall be apprehended.

VI. If a Constable, Headborough or Tything-man, be found negligent in the due Execution of this Act, they shall forfeit 10 s. for every default; and none shall make rescous against any Officer, or hinder the Execution of this Law, in pain of 5 l. and to be bound to the good Behaviour.

VII. None shall transport such a Rogue out of *Ireland*, *Scotland*, or the *Isle of Man*, (being born in any of these Places) in pain to forfeit 20 s. to the use of the Poor where he lands: And if any such shall be hereafter found in *England* or *Wales*, they shall suffer Punishment, and be conveyed the next way home, as aforesaid; or (in case they came by Sea) to the place where they landed, from whence they are to be transported at the charge of that County to the place from whence they came.

VIII. No impotent or poor Person shall pass to the *Bath* or *Buxton*, without being licensed to pass by two Justices of Peace where they dwell, and provided with relief, both for their Journey and abode there; and shall also return within the time limited by their Licence, in pain to be reputed and punished as Rogues; and the City of *Bath*, or Town of *Buxton*, shall not be chargeable with any such.

IX. Justices of Peace of the Counties shall not intermeddle in Cities or Corporations, but only the Officers of the same, who shall have like power there as the said Justices have in Counties.

X. This

X. This Act shall not extend to restrain the power which the City of *London* hath in the Government of *St. Thomas's Hospital* in *Southwark*, or to prejudice any Jurisdiction or Inheritance of *John Dutton* of *Dutton* in the County of *Chester* Esquire.

XI. The Forfeitures and Fines which shall accrue by this Act (other than those above otherwise limited) shall be employed for the Maintenance of Houses of Correction, or the Relief of the Poor where the Offence shall be committed, at the Discretion of the said Justices of Peace; and may be levied by Warrant under the Hands and Seals of two Justices of Peace, by distress and sale of Goods. And here, the Confession of the Offender, or Proof by two Witnesses before two such Justices, shall be sufficient Conviction.

XII. Two Justices of Peace (one *Quorum*) shall have full power to hear and determine all Causes which may come in question by reason of this Act.

XIII. The Lord Chancellor or Keeper, for the time being, shall have power to make Commissioners to enquire of Money given towards the Erection or Maintenance of Houses of Correction, Stocks for Poor, or other such like uses.

XIV. A Sea-faring Man suffering Shipwreck, not having wherewithal to relieve himself, and having a Testimonial under some Justice of Peace his Hand and Seal near the Place where he landed, declaring the time and place of his landing, the place of his Dwelling or Birth, unto which he is to pass, and the time limited for his Passage, may in the direct way home, and within the time so limited for his Passage, ask and receive necessary Relief, without incurring the Penalties of this Act.

XV. This Act shall not extend to Children under seven Years old, nor to Glass-men which travel without Begging, by Licences under the Hands and Seals of three Justices of Peace (one *Quorum*) of the County through which they travel.

XVI. Stat. 39 *El.* 17. Wandring Soldiers and Mariners, and all others wandring as Soldiers or Mariners, which will not settle themselves to work, or have not a Testimonial under the Hand of some one Justice of Peace near the place of their Landing, setting down the place where they landed, the place whither they are to pass, and the time of their passage, or, having a Testimonial, exceed the time therein limited above fourteen Days, or counterfeit a Testimonial, or produce one which they know to be Counterfeit, shall in all these Cases suffer as Felons, without benefit of Clergy.

XVII. Ju-

XVII. Justices of Assize, Goal-delivery, and of Peace, in their Sessions, have power to proceed against these Offenders as in case of Felony without Clergy, unless some sufficient Man (allowed by the Justices) will enter into Recognizance of 10*l.* to the Queen, to retain the Offender for one whole Year, and to bring him to the next Sessions of Peace and Goal-delivery after the Year ended. And if he within the Year depart that Service without Licence, he shall afterwards suffer as a Felon without Clergy.

XVIII. Soldiers and Mariners which fall sick in their passage home shall be excused; though they exceed the time limited in their Testimonial, so that they perform this Act in convenient time after their Recovery.

XIX. If, when they come Home, they cannot get Work, the two next Justices (upon their complaint) shall take order that they may be provided of Work, or otherwise shall tax the whole Hundred for their Relief, until Work may be had.

XX. The Soldier or Mariner (licensed by a Justice of Peace to whom he shall make his Poverty known) having not wherewith to bear his Charges home, may ask and take Relief, so it be in his direct way home, and within the time limited by his Licence.

XXI. These Offences shall cause no Corruption of Blood.

XXII. Stat. 1 Jac. 1. 7. Noble Personages shall authorize none to go wandering Abroad; and Glass-men shall be reputed and used as Rogues, notwithstanding the Statute of 39 *El.* 4.

XXIII. In stead of Banishing an incorrigible Rogue, or committing him to the Gallies, (as was ordained by 39 *El.* 4.) he shall in open Sessions be branded in the Left Shoulder with a burning Iron, having a great Roman R upon it as broad as a Shilling, and from thence shall be sent to the place of his last Dwelling; if that cannot be known, to the place of his Birth: After which time, if he offend again, he shall suffer as a Felon without benefit of Clergy.

XXIV. Every Person that seeth or knoweth any Rogue to beg, shall convey, or cause him to be conveyed to the next Constable or Tything-man, in pain of 18*s.* to be levied and employed as the Forfeitures of 39 *El.* 4. and in default thereof, then by the Lord of the Leet, or his Officer, in like manner as the Persons authorized by the said Statute should have levied and employed the same. And here also, if the Constable or Tything-man do not punish him according to that Statute, he shall forfeit 20*s.* to be also levied and employed as by the same Statute is appointed.

XXV. This Act shall not prejudice the Jurisdiction of Inheritance of John Dutton of Dutton in the County of Chester Esquire.

XXVI. Stat. 7 Jac. 1. 4. There shall be an House of Correction provided in every Shire, to set Rogues and other idle People to work.

XXVII. The Justices in Sessions shall from time to time appoint a Governor for the said House, who shall have power to set such Rogues and idle People to work, and to punish them by moderate whipping, or putting Fetters or Gyves on them; which Rogues and idle Persons shall not be chargeable to the Country, nor have other allowance than what they shall deserve by their own labour.

XXVIII. The said Justices shall at least twice every year within their several Divisions (and oftner if need be) assemble and meet together for the better Execution of this Statute; and some four or five days before their meeting, shall by Warrant command the Constables and Tything-men of every Hundred, Town and Hamlet, (being assisted with other sufficient Men) to make a general Privy Search in one night within their several Precincts, for the finding and apprehending of Rogues, &c. and such as shall be found, to bring them to the said Meeting, to be examined, punished, or sent to the House or Houses of Correction, there to be set to work.

XXIX. The said Constables and Tything men shall appear at the said Meeting, and there give an account upon Oath in writing under the Master's hand; testifying the Rogues, &c. they have taken in the last Search, or since the last meeting, and how many have been punished, or otherwise sent to the House of Correction: which if they neglect to do, or safely to convey such to the House of Correction, as by the said Justices Warrant shall be committed thither, they shall incur what Fine the said Justices shall please to set upon them, so it exceeds not 40 s.

XXX. The Governors of the Houses of Correction shall have such a Sum of Money yearly as shall be thought fit by the more part of the Justices of Peace in Sessions, the same to be paid quarterly before-hand by the Treasurers of the County, the Governors giving Security for their continuance in the said Service.

XXXI. If any lewd Woman have a Bastard which may be chargeable to the Parish, the Justices of Peace shall commit her to the House of Correction, there to be punished and set to work one whole year: And if she offend again, then she is to be committed again, there to remain till she put in good Sureties for the Good Behaviour, and not to offend so again.

XXXII. Persons running away, and leaving their charge to the Parish, shall be deemed and punished as incorrigible Rogues; and those that threaten so to do, (it being proved by two Witnesses upon Oath before two Justices of Peace of the same Division) shall be by the same Justices sent to the

House of Correction, there to be punished as Sturdy Rogues, (unless they put in sufficient sureties to discharge the Town) and not to be delivered but at such a meeting as aforesaid, or in open Sessions.

XXXIII. If the Governors shall not every Quarter-Sessions yield to the said Justices a true account of all such Persons as shall be committed to their custody; or if they suffer any within their charge to make escape, or to be troublesome to the County by going abroad, or otherwise, they shall incur what Fine the same Justices in Sessions shall think fit to impose upon them.

XXXIV. All Fines which shall accrue by this Act (other than those already limited) shall be paid to the Treasurers of the County, and by them be accounted for.

XXXV. See Title Poor, Num. XLV. and XLVI.

Vestry-men.

I. Stat. 15 Car. 2. cap. 5. An Act for the Regulating select Vestries. *Expired.*

Widow, Widowers, Inholders and Hostlers.

* I. Stat. 12 E. 2. 6. No Person in any City or Borough, which by reason of his Office ought to keep the Assizes of Wine and Victuals as long as he shall be attendant upon his Office, shall buy or sell Wines or Victuals, in pain to forfeit the same to the King, whereof the Prosecutor shall have the third part of the King's Gift.

II. Stat. 23 E. 3. 6. All Butchers, Fishmongers, Regrators, Hostlers, Brewers, Bakers, Poulterers, and all other Sellers of Victuals, shall sell the same at reasonable Prices, and for moderate Gain, in pain (upon proof of the contrary before the Sheriff or the King's Bailiffs, or before the Constables of the place, by the Evidence of two true Men) to forfeit the double value thereof to the Party damnified, or (in his default) to him that will sue for the same: And all Mayors and Head Officers of Corporations have like power; and upon neglect of their Duty herein, shall forfeit the treble value thereof to the Party or Prosecutor, as aforesaid; and besides, shall incur a Fine to the King to be imposed by the Justices to be assigned by the King.

* III. Stat. 31 E. 3. 10. Every Man that bringeth Victual to London may freely sell the same, without the Interruption or Impeachment of any.

IV. The

IV. The Mayor and Aldermen of London may rule and redress the Defaults of Fishmongers, Butchers and Poulterers, as they do of such as sell Beer, Ale or Wine, notwithstanding any Franchise, Statutes, Custom, or other Privilege to the contrary: And they shall put the same in due execution, upon the pain ordained by the Statute of 28 E. 3. 10. which see in London.

* V. Stat. 6 R. 2. Stat. 1. 9. No Victualler in London, or any other City, Borough, or Port of the Sea, shall exercise any judicial Office there; and in case any be chosen in the places aforesaid into such Office, he shall forbear to use Victualling during the time he exerciseth such Office, in pain to forfeit the Victuals sold.

VI. Stat. 6 R. 2. 10. Aliens (being in amity with the King and Realm) may bring in Victual, and sell the same in gross, or by retail, without the Impeachment of any. See Stat. 11 R. 2. 7. 1 H. 4. 17. 14 H. 6. 6.

* VII. Stat. 7 R. 2. 11. All Vintners and Victuallers, as well Fishmongers as other, coming with their Victuals to London, shall be under the Governance of the Mayor and Aldermen of that City, as hath been heretofore used.

VIII. Stat. 13 R. 2. 8. Victuallers shall sell their Victuals at such reasonable prices as shall be set down by the Justices of Peace in two of the Sessions, to be holden betwixt Easter and Michaelmas, in pain to be punished at the discretion of the said Justices, where no pain is already limited in certain.

IX. And here Sheriffs, Stewards, Mayors, Bailiffs, and all others which have power to keep Assize of Bread and Ale, shall take no Fine or Amerciament for any default touching the Assize, for which the Offender ought by Law to have bodily punishment.

* X. Stat. 23 H. 6. 13. Justices of Peace shall twice every year cause all Statutes concerning Victuallers (before this time made) to be openly proclaimed in Sessions.

* XI. Stat. 12 E. 4. 8. No person (other than Mayors, Bailiffs, Lords of Leets, or others in point of Charter) shall execute any Office of searching or surveying of Wine, Ale, Beer, or any other Victual, or of the correction of breaking the Assize thereof, in pain to forfeit 40 l. to be divided betwixt the King and the Prosecutor. And all Letters Patents of the King granted for that purpose shall be void.

* XII. Stat. 3 H. 8. 8. When a Victualler (in a City or Corporation) is chosen to bear an Office, by reason whereof he ought also to have the Assizing of Victual during that time, two other (being no Victuallers) shall be joyned and sworn with him, truly to assess and set Prices and Assizes of Victual there, and they shall be sold accordingly. But here the Officers in London, York and Coventry are excepted.

* XIII. Stat. 25 H. 8. 2. The prices of Vidual in all places (except Corporations) shall be assessed by the King's Counsellors, Justices of either Bench, and some other great Officers: For which see the Statute at large.

XIV. Provided, that Head Officers in Corporations, and others having authority to prize Vidual, may still assess the Prices thereof, as if this Statute had not been made.

XV. No Corn, Beefs, Muttons, Veals, Porks, or other Vidual, shall be transported beyond Sea, except for Vidualling of Ships, and barrelled Butter, and Meal to be carried into *Island*, in pain to forfeit the value thereof, to be divided betwixt the King and the Prosecutor.

XVI. Stat. 2 & 3 E. 6. 15. Butchers, Brewers, Bakers, Poulterers, Cooks, Costermongers or Fruiterers, which conspire or promise together, that they will not set their Vidual but at certain prices, shall forfeit for the first Offence 10 l. to the King, and if they pay it not within six days after Conviction, they shall suffer 20 days Imprisonment, and during that time shall have no Sustainance but Bread and Water; for the second Offence they shall forfeit 20 l. and that not paid within Six days as aforesaid, shall suffer the Pillory; and for the third Offence shall forfeit 40 l. and that not paid within the time above limited, shall again suffer the Pillory, lose one of their Ears, and be ever after taken as Men infamous and not to be credited. And if such Conspiracy be acted by the major part of the Company of such Viduallers, the Corporation shall be thereupon dissolved.

XVII. Justices of Peace, Mayors, Bailiffs and Stewards in Sessions, Leets and Courts, have power to hear and determine these Offences. Continued and confirmed 22 & 23 Car. 2. cap. 19. and 1 Jac. 2. cap. 17.

* XVIII. Stat. 1 & 2 P. M. 5. None shall transport beyond Sea, or into *Scotland*, any Corn or Grain of *English* Growth, or Malt made there, or any Beer, Butter, Cheese, Herring or Wood, without lawful Authority; in pain that the Owner of the Vessel in which they are so transported, shall forfeit his Vessel; the Owner of the said Commodity so transported, the double value thereof; and the Master and Mariners all their Goods, and suffer a years Imprisonment without Bail. Neither shall any convey by any Vessel any of the aforesaid Commodities to any other Ship or Vessel to be transported, in pain to incur the like Forfeitures and Penalties.

XIX. The one Moiety of the said Forfeitures shall accrue to the King and Queen, and the other to the Prosecutor.

XX. In

XX. In case the King and Queen, their Heirs or Successors, grant Licence to transport such Commodities, the licensed shall not transport more than the Licence allows, in pain to forfeit the treble value thereof, and to suffer a years Imprisonment without Bail: And such Licensed shall ship the said Commodities at one and the same place, in pain to forfeit all his Goods and Chattels, to be divided as followeth, viz. the one Moiety to the King and Queen, and the other to the Prosecutor.

XXI. Justices of the Peace have power to examine all Offenders against this Act, and to hear and determin (by the Oaths of Twelve lawful Men) the Offences committed against the same.

XXII. Provided, That when Wheat shall not exceed the Price of 6 s. 8 d. Rye of 4 s. and Barly of 3 s. 4 d. the Quarter, it shall be lawful to transport them, notwithstanding this Act. Neither shall this Statute impeach the necessary Victualling of Ships, or the Admiral's Jurisdiction. Howbeit, as to the Transportation of Corn, this Statute hath since been divers times altered by sundry subsequent Acts, viz. 13 El. 13. 1 Jac. 1. 25. and 21 Jac. 1. 28. and last of all by 3 Car. 1. 4. Which see in Corn, and so it stands at this day.

XXIII. Stat. 21 Jac. 1. 21. The Statute of 32 H. 8. 41. together with other Statutes concerning Horse-bread, is repealed.

XXIV. Inholders, and all Hostlers shall make no Horse-bread; shall sell their Hay, Provender and Victuals at reasonable Prices, and shall take nothing for Litter.

XXV. This Act shall not restrain those that live in a Thoroughfare (which is no Market-Town, and wherein there is no Baker) to make Horse-bread, according to the just Assize.

XXVI. Justices of Oyer and Terminer, Justices of Peace, Sheriffs in Turns, and Stewards in Leets, have power to hear and determin these Offences.

XXVII. If any Inholder or Hostler which hath power (by this Act) to make Horse-bread, observe not the Assize, or if he or any other offend this Law in any other kind whatsoever; for the first Offence they shall be fined, for the second suffer a months Imprisonment without Bail, for the third be set upon the Pillory, and for the fourth shall be fore-judged from ever keeping an Inn again.

View.

I. *West.* 2. 48. 13 *E.* 1. View of Land shall not be granted but where it is necessary. For Example, If one lose Land by default, and afterwards moveth for a Writ to demand the same Land; or when one by an Exception dilatory abateth a Writ after a View had, as by Non-tenure, misnaming of the Town, or the like: in these cases, upon purchase of another Writ, View shall not be granted, if he had View in the first Writ. So in a Writ of Dower, when the Dower in demand is of Land, which the Husband aliened to the Tenant or his Ancestors, whereof the Tenant ought not to be ignorant; here, albeit the Husband died not seized, yet View shall not be granted to the Tenant. Also in a Writ of Entry, which abated because the Demandant misnamed the Entry; here, if the Demandant purchase another Writ of Entry, the Tenant having had View in the first Writ, shall not have it in the second. Likewise in all Writs where Lands are demanded by reason of a Lease made by the Demandant for his Ancestor to the Tenant himself, being within Age, *Non compos mentis*, in Prison, or the like, View shall not be granted; but if the Demise were made to his Ancestor, View shall lie, as hath been heretofore used.

II. *Stat. De visu terra, & Essoign de servitio Domini Regis,* 12 *E.* 2. View shall be granted in a Writ of Ward, of Customs and Services, of Advowson of a Church, (*viz.* when there be more Churches than one in a Town, and all of one Saint) of Dower to be assigned, and of *Nuper obiit*.

Villainage.

I. The Statute of Purveyors, *cap.* 18. 25 *E.* 3. notwithstanding Adjournment made in *Eyre* by Writ *de Libertate probanda*, purchased in favour of Villains, to delay their Lords in their Actions for such Villains, the Lord may in all Writs plead the Exception of Villainage against them, whether such Writ were purchased by Deceit or otherwise. The Lords may also seize their Bodies, as well as they might have done before such Writs *de Libertate probanda* purchased.

II. *Stat.* 38 *E.* 3. 17. No Writ shall be abated by Exception of Cognizance of Villainage, if the Demandant or Plaintiff will aver, that the party alledging the Exception was free the day of the Writ purchased.

III. *Stat.*

III. Stat. 9 R. 2. 2. Because divers Villains and Neifs did fly to London, and other enfranchised places, and there did feign divers Suits against their Lords, with intent to make themselves free by their Lords answers; it was ordained, that no Lord shall be barred of his Villain, because of his answer in Law.

Union and Sebering of Churches.

I. Stat. 37 H. 8. 21. An Union or Consolidation of two Churches in one, or of a Church and a Chapel in one, the one of them not being above the yearly value of 6 l. in the King's Books, nor distant from the other above a mile, may be had and made, by the assent of the Ordinary, the Incumbents, and all such as have a just Right, Title and Interest to the Patronages thereof, being of full age: And all such Union and Consolidation shall remain as good in Law as if he had been so declared by writing under Seals of such Ordinary, Incumbents and Patrons.

II. All such Unions heretofore made are confirmed: Howbeit, the King's Tenth and First-fruits of such Churches and Chapels already or hereafter to be Consolidated, are saved.

III. Such Consolidations shall not be in Corporate Towns without the consent of the Magistrates thereof, declared in writing under their Common Seal.

IV. Provided, That where the Inhabitants of any such Parish, or the more part of them, within a year after such Union, by their writing sufficient in Law, shall assure the Incumbent there and his Successors so much Money yearly, which together with the value thereof in the King's Books, shall amount to 8 l. that then such Union shall be void. Howbeit, this *Proviso* shall not extend to any such Union made before this Statute.

V. Stat. 1. E. 6. 9. An Act for uniting certain Churches in York, with divers Clauses concerning that matter.

VI. Stat. 1 M. Seff. 2. c. 15. An Act for re-edifying the Church of St. Ellins in Stangate in York, which was demolished by the former Statute. See those Statutes at large.

VII. Stat. 17 Car. 2. cap. 3. In every City or Town Corporate and their Liberties, where two or more Churches or Chapels, or a Church and a Chapel and Parishes thereto belonging are, the Bishop of the Diocese, with consent of the chief Officer or Officers there, or the major part of them, and of the Patrons of such Churches, &c. may unite them, and appoint where the Parishioners shall meet, and which shall be united to the other. And the Parishioners shall pay all Tythes

and other Duties to the Incumbent of the Church to which the other is united.

VIII. Notwithstanding such Union, the Parishes shall continue distinct as to all Rates, Taxes, Parochial Rights, Charges, and Duties, and all respects whatsoever, other than what is above-mentioned; and Church-wardens shall be appointed for each as before.

IX. Where one or more of the said Churches are full at the time of such Union, it shall take effect at the next Avoidance after. The Patrons shall present by turns to that which remains in such order, as the Bishop with consent of the chief Officers there, or the major part of them, and of the Patrons, &c. shall decree, respect being had to the Differences of the Maintenance.

X. No such Union shall be good in Law till it be Registered in the Register-Book of the Bishop of the Diocese; nor where the Maintenance of the Church or Churches so united shall exceed 100 *l. per Annum* clear, unless the Parishioners, or the major part of them under their hands desire otherwise. The Incumbents of Churches so united must be Graduates in one of the Universities.

XI. Owners of Improvements, Tythes, &c. may annex the same to the Parsonage or Vicarage where they lie, or settle them in trust for the Curates, where the Parsonage is impropriate and no Vicarage endowed, without any Licence of Mortmain.

XII. If the settled Maintenance of any Parsonage or Vicarages, Churches or Chapels so united, or of any other Parsonage or Vicarage with Cure, shall not amount to 100 *l. per Annum* clear, the Incumbent may purchase to him and his Successors, Land, &c. without Licence of Mortmain.

XIII. Inhabitants of Parish united to contribute to Repairs and Ornaments of Church, by Stat. 4 & 5 W. & M. Sess. 4. cap. 12.

Universities.

I. Stat. 2 & 3. P. M. 15. No Purveyor, Taker, Badger, Loader, or other Minister, shall take or bargain for any Victual or Grain in the Markets of Oxford or Cambridge, or in any part of the said City and Town, or within Five miles compass of either of them, without the consent of the Owner; nor shall take away or bargain for any such Commodity, bought or provided within the said Five miles by any common Minister of any College or Hall, there to be spent in such College or Hall, in pain to forfeit the quadruple value thereof, and to suffer Three months Imprisonment without Bail.

II. The

II. The Chancellor or Vice-Chancellor, or his Commissary, in either of the said Universities, with two Justices of Peace of the County adjacent, have power to enquire, hear and determin the said Offences.

III. The Forfeitures shall be divided betwixt the University where such Offence is committed, and the Prosecutor; and may be recovered in any Court of Record, or before the said Chancellor, Vice-Chancellor, or Commissary, and two Justices.

IV. This Act shall be suspended during the Queen's presence, her Heirs and Successors, or within seven Miles distance therefrom.

V. The Liberties of the Mayors, Bailiffs and Commonalties of *Oxford* and *Cambridge* are saved.

* VI. Stat. 13 *El.* 21. No Purveyor, Taker, Badger, Loader, Poulterer, or other Minister of the Queen, her Heirs and Successors, shall take or bargain for any Grain or other Victual in either of the said Universities, nor within the Compass of five Miles from either of them, without Licence of either of the said Chancellors, or Vice-Chancellors, in writing under the Seal of their Office, and not otherwise than as in the said Licence is expressed, and so as the same give unto them no farther power than they may lawfully use in other Parts of the Country without the said five Miles; neither shall they take or bargain for any such Commodity bought and provided for any College or Hall, to be spent within the same, without such Licence, as aforesaid, upon such Pains and Forfeitures as by the Statute of 2 & 3 *P. M.* 15. are ordained, and to like uses as are therein limited.

VII. The said Chancellors, or Vice-Chancellors, with two Justices of Peace of the Universities, City, Town or Country, shall enquire, hear and determin the said Offences, as by the Statute of 2 & 3 *P. M.* is appointed.

VIII. If any Person within the said five Miles refuse to serve the Universities, then it shall be lawful for the Queen's Purveyors to provide for the Queen's use any Corn or Victual of any such Person, within the said five Miles, as shall be declared to the said Purveyors to be Persons not worthy of the said Privilege, for not serving the Universities, by the Chancellor or Vice-Chancellor, with the consent of two such Justices, as aforesaid, under the Hands and Seals of the said Chancellor or Vice-Chancellor and two Justices, in such sort as the said Purveyors lawfully may in any other Place without the said five Miles, and not otherwise.

IX. This Act shall be in suspence during the Queen's presence there, or within seven Miles distance.

X. The Liberties of the Mayors, Bailiffs and Commonalties of *Oxford* and *Cambridge* are saved.

Woucher.

Voucher.

I. *Marlb. 24. 52 H. 3.* None Vouched to Warranty before Justices in Eyre in Plea of Land, shall be amerced, because he was not present when he was vouched, except it be the first Day of the coming of the Justices; but if the Party be within the County, the Sheriff shall cause him to come in within three or four Days; if out of the County, he shall have Summons of fifteen Days at least.

II. *West. 1. 40. 3 E. 1.* In Writs of Possession, as *Mortdancestor, Cofnage, Ayel, Nuper obiit, intrusion*, or the like, whereby Land is demanded which ought to descend, revert, remain or escheat by the Death of any Ancestor or otherwise, if the Tenant vouch to Warranty, and the Demandant will counterplead him, and aver by Affize, or by the Country, as the Court shall award, that the Tenant or his Ancestor (whose Heir he is) was the first that entred after the Death of him of whose Seisin he demandeth, this Averment shall be received, if the Tenant will abide thereupon; but if not, he shall be compelled to another answer, unless he have his Warrantor present, who will immediately enter into the Warranty: And then also the Demandant may have the like Exception against the Vouchee as he had against the first Tenant.

III. In a Writ of Entry in the degrees none shall vouch out of the line.

IV. In Writs of Right and of Possession (as before) it is also a good Counterplea, that neither the Vouchee nor his Ancestors had ever Seisin of the Land, or any thing in the Services by the hand of the Tenant or his Ancestors, from the time of the Seisin, whereof the Demandant declares, until the Writ purchased, so that he might make a Feoffment to the Tenant or his Ancestors; and this Averment of the Demandant shall be also received, if the Tenant will abide thereupon; but if not, the Tenant shall be compelled to another, as before, unless the Vouchee be present, and will immediately enter into Warranty, and then also the Demandant may have like exception as before.

V. If the Tenant have a Deed that comprised Warranty of another Man, his recovery by a Writ *de Warrantia Chartæ* out of the Chancery shall be saved to him; howbeit the Plea shall not be delayed by reason thereof.

VI. *Statute of Gloucester, 12. 6 E. 1.* If a Man impleaded for a Tenement in London vouch a Foreigner to Warranty, he shall have a Writ out of the Chancery, to summon the Warrantor at a certain day before the Justices of the Bench, and another to the Mayor and Bailiffs of London, to surcease the matter before them, until the Plea of the Warranty be determined in the

the Bench ; and when the Plea at the Bench shall be determined, then shall the Vouchee be commanded to go into the City to answer the chief Plea ; and a Writ shall also be awarded at the Demandant's Suit, by the Justices to the Mayor and Bailiffs, to cause them to proceed in the Plea : And if the Demandant recover against the Tenant, the Tenant shall come before the Justices of the Bench, who shall direct a Writ to the Mayor and Bailiffs, to cause the Land so Lost by the Tenant to be extended and valued, and to return that Extent at a certain Day unto the Bench ; and after the Sheriff of the County (where the Warranty was summoned) shall be commanded to deliver to the Voucher Land of the Vouchee, answerable in Value to the Land that the Voucher hath lost. *See a Correction and some other Enlargement of this Statute, 9 E. 1.*

VII. West. 2. 6. 13 E. 1. As the Tenant shall lose the Land in demand, in case where his Vouchee dischargeth himself of the Warranty ; so also shall the Vouchee lose, where he denieth the Warranty, and it be tried against him. Also where an Enquest is depending between the Tenant and his Vouchee, and the Demandant will require a Writ to cause the Jury to come, it shall be granted him.

VIII. Stat. of Vouchers, 20 E. 1. This Counterplea of Voucher, viz. that neither the Vouchee nor his Ancestors had ever any thing in the Land, so that he might make a Feoffment with Warranty shall be received, albeit the Vouchee be ready to enter into Warranty.

IX. Stat. 14 E. 3. 18 Where the Tenant voucheth to Warranty a dead Man, the Demandant shall be received to aver that the Vouchee is dead, and that there is none such.

Upholsters.

*** I. Stat. 11 H. 7. 19.** None shall put to Sale in Fairs or Markets any Feather-beds, Bolsters or Pillows, except such as are stuffed with one sort of Stuff, viz. dry pulled Feathers, or clean Down, and not with scalded Feathers, Fen-Down, or any other unlawful corrupt Stuff, in pain to Forfeit the same, Howbeit any (for their private use) may make or cause to be made any such unlawful Stuff or Wares, so as the same be not exposed to Sale in Fairs or Markets, upon the like pain.

II. Also Quilts, Matresses and Cushions, shall be stuffed with one sort of Stuff only, viz. clean Wooll, or clean Flocks, and not with Horse-hair, Fen-Down, Neats-hair, Goats-hair, or other unlawful Stuff, in pain to Forfeit the same.

*** III. Stat.**

* III. Stat. 5 & 6 E. 6. 23. None shall make (to the intent to Sell or offer to be Sold) any Feather-bed, B lster or Pillow, except the same be stuffed with dry pulled Feathers, or clean Down only, without mingling of scalded Feathers, Fen-down, Thistle-down, Sand, Lime, Gravel, or other unlawful or corrupt Stuff, in pain to Forfeit the same (so offered to be Sold) or the Value thereof.

IV. None shall make (to the intent to Sell or offer to be Sold) any Quilt, Mattress or Cushions, stuffed with any other Stuff than Feathers, Wooll, or Flocks alone, in pain to Forfeit the same (so Sold or put to Sale) or the Value thereof.

V. The Forfeitures aforesaid are to be divided betwixt the King and the Prosecutor.

Uses.

I. Stat. 1 R. 3. 1. All Grants, Conveyances, Recoveries and other Assurances, made by *Cestuy que use*, (being of full Age, *compos mentis*, and at large) shall be good against him, and all others claiming as his or her Heirs, or to his use. But here the Right of all others is saved.

II. Stat. 1 H. 7. 1. The Demandant in a Formedon (in Descender or Remainder) may have his Action against the Pernor of the Profits, and such Pernor shall have such Voucher, Lyen, Aid Prayer, and all other Advantages, as he should have if he were Tenant in Deed; or his Feoffers should have if the Action were brought against them: And if such Pernor happen to die, his Heir being within Age, his Heir shall also have his Age, and all other Advantages, as if his Ancestor had died seized of the Land in demand. Also all Recoveries had against such Pernors, their Heirs or their Feoffees, or Co-feoffees and their Heirs, shall be as good as if such Pernors were Tenants in deed, or Feoffees to their use, at the time of such Actions brought.

III. Stat. 3 H. 7. 4. All Deeds of Gift of Goods and Chattels made in trust to the use of the Grantor, shall be void.

IV. Stat. 19 H. 7. 15. The Sheriff or other Officer having a Writ to execute upon Lands against any Person upon any Judgment, Statute or Recognizance, may deliver Execution to the Plaintiff of all Lands and Tenements whereof any other is seized to the use of him against whom Execution is sued.

V. Also the Heir of *Cestuy que use* of Land in Soccage shall pay Relief, Herriot, and all other Duties, to the Lord of the Fee, as if his Ancestors had died seized thereof.

VI. Howbeit, upon such Execution served, as aforesaid, *Cestuy que use* shall have all such advantage as he might have if he were seized of the Land.

VII. *Cestuy que use* being a Bond-man, the Land may be seized by his Lord.

VIII. Stat.

VIII. Stat. 27 H. 8. 10. Where any Person or Persons stand or be seized of any Honors, Manors, Lands, Tenements, Rents, Services, Reversions, Remainders, or other Hereditaments, to the use, confidence or trust of any other Person or Persons, or of any Body Politick, by reason of any Bargain, Sale, Feoffment, Fine, Recovery, Covenant, Contract, Agreement, Will, or otherwise; in every such Case, every such Person and Persons, and Body Politick, having such use, confidence or trust, in Fee-simple, Fee-tail, for Life or Years, or otherwise, or any use, confidence or trust, in Remainder or Reverter, shall stand and be seized, and deemed and adjudged in lawful Seisin, Estate and Possession of and in the Honors, Castles, &c. with the Appurtenances of and in such like Estates as they have in use, trust or confidence of or in the same: And the Estate, Title, Right and Possession of such Person or Persons as are seized of any Lands, Tenements or Hereditaments, to the use, confidence, or trust of any such Person or Persons, or Body Politick, shall be deemed and adjudged to be in him or them that have such use, confidence or trust, of any such Quality, Manner, Form and Condition, as they had before in or to the use, confidence or trust that was in them.

IX. When divers Persons are so seized to the use, confidence or trust of any of themselves, they amongst them that have such use or trust, shall likewise have the Seisin, Estate and Possession, in such Quality, Manner and Condition, as they had the use or trust.

X. Howbeit, the Right, Title, &c. of all other (except of the Persons so seized to any use or trust) is saved, and all former Right, Title, &c. is also saved to them.

XI. Where any be seized to any use or intent, that another shall have a yearly Rent out of the same Lands, *Cestuy que use* of the Rent shall be deemed in the Possession thereof, of like Estate as he or she had that use, and shall distrain for Non-payment of the said Rent, and make Avowries, Conusances and Justifications; and use all other Remedies therein, as if the said Rent had been actually granted to such *Cestuy que use*.

XII. Where an Estate is made in Possession or Use to Husband and Wife, and his Heirs, or the Heirs of their two Bodies, or of one of their Bodies, or to them for their Lives or for the Wife's Life for her Joynture; in any of these cases she shall not have Dower. Howbeit, upon a lawful Eviction of that Joynture, she shall be endowed according to the rate of her husband's Lands whereof she was dowerable.

XIII. Such a Joynture being made after Marriage, the Wife (after her Husband's Death) may refuse it, and betake her to her Dower, unless such Joynture be made by Act of Parliament.

XIV. Provided, That this Act shall not extinguish, release, discharge or suspend any Statute, Recognizance, or other Bond, by the Execution of any Estate settled by force of this Act.

XV. All Wills and Testaments heretofore made, or hereafter to be made before the 1st of May, 1536. shall be good in Law, in such Manner as they were commonly taken and used within forty Years before the making of this Act.

XVI. The King shall not take advantage by occasion of the executing of any Estate by Authority of this Act, before the 1st of May, 1536. viz. by having or demanding any *Primer Seisin*, Livery, *Ouster le main*, Fine for Alienation, Relief or Herriot; but after that time Fines for Alienations, Reliefs and Herriots, shall be paid to the King, and also Liveries and *Ouster le mains* shall be used for Uses, Trusts and Confidences, which shall be from thenceforth made and executed in Possession by force of this Act; neither shall any other Lord demand or take any Fine, Relief or Herriot, by occasion of this Statute, before the 1st Day of May, 1536.

XVII. This Act shall not be prejudicial to any Person or Persons born in *Wales*, or the Marches thereof, who have any Estate to them executed by force of this Act in any Lands in this Realm, whereof any other Person now stands seized to their use; but such Person or Persons born there may lawfully have and keep all such Lands by Authority of this Act, according to the Tenor thereof.

Usury.

* I. Stat. 37 H. 8. 9. None shall Sell his Wares or Merchandize to any, and within three Months after buy the same again at a lesser price, knowing them to be the same Wares; or buy any corrupt Bargain of Wares, Money, or other things, or buy any Mortgage of Land, and take in Gain, for giving day of Payment, more than according to the Rate of 10 *l. per Centum* for one whole Year; in pain to Forfeit the treble Value of the Profits of such Lands mortgaged, to be divided betwixt the King and the Prosecutor, and besides to suffer Imprisonment, and make Fine at the King's Will.

II. Stat. 13 El. 8. All Bonds, Contracts and Assurances upon Usury, in lending or doing any thing contrary to the Statute of 37 H. 8. 9. shall be void; and all Brokers and Solicitors thereof shall be adjudged and used as Councillors, Attornies, or Advocates in the case of *Premunire*.

III. He that takes no more than after the rate of 10 *l. per Cent.* or less, shall only Forfeit the Interest, to be recovered and employed as the Forfeitures of 37 H. 8. 9.

IV. Justices

IV. Justices of Oyer and Terminer, of Assize, and of Peace, in their Circuits and Sessions, and Mayors, Sheriffs and Bailiffs of Cities, have power to hear and determine all offences committed against 37 H. 8. 9.

V. The Statute of 37 H. 8. 9. shall be construed largely and strongly against the Party offending by any way or device, directly or indirectly.

VI. This Act shall not extend to any Allowances or Payments for the finding of Orphans, according to the ancient Rates of London, or of any other City, where order is taken for their Custody and Goods, as in London.

VII. The Offender against the Stat. of 37 H. 8. 9. may also be punished by the Ecclesiastical Laws.

VIII. Stat. 21 Jac. 1. 17. None shall upon any Contract directly or indirectly take for the Loan of any Money or other Commodities above the Rate of 8 l. per Cent. for one whole Year, in pain to Forfeit the treble Value of the Money, or other things lent.

IX. No Scrivener, Broker or Solicitor, shall take or receive, directly or indirectly, for Brokage above the Rate of 5 s. for the Loan of 100 l. for one whole Year, nor above 12 d. for making a Bond, in pain to Forfeit 20 l. to be divided betwixt the King and the Prosecutor, and also to suffer six Months Imprisonment.

X. Stat. 12 Car. 2. cap. 13. None shall take directly or indirectly for the Loan of Money, or any Commodities, above the Value of 6 l. for the Forbearance of 100 l. for a Year, and so after that Rate, all Bonds, Contracts, &c. whereupon more shall be reserved, shall be void. They that receive more shall Forfeit the treble Value of the Money or other things lent.

XI. Scriveners, Brokers, Solicitors, &c. that shall take for Brokage, directly or indirectly, above the Rate of 5 s. for the Loan or Forbearing of 100 l. or 12 d. for making a Bond or Bill concerning the same, shall Forfeit 20 l. and have Imprisonment for half a Year. The one half of these Forfeitures to be to the King, the other half to the Prosecutor. Confirmed 13 Car. 2. cap. 14.

Wager

Wager of Law.

I. *Magna Charta*, **N**O Bailiff shall put any Man to his open Law, or to an Oath, upon his own bare saying, without faithful Witnesses brought in for the same.

II. *Stat. 38 E. 3. 5.* Any Man may wage his Law (by sufficient People of his condition) against *Londoners* Papers, and the Creditor shall take surety otherwise, if he please; but shall not put the Party to plead to the Enquest, unless he will do so of his own accord.

III. *Stat. 5 H. 4. 8.* In Actions of Debt upon Arrearages of an Account, feigning (to the intent to put the Defendants from their Law) that the same was found before their Apprentices or Servants, as Auditors assigned therein, it shall be in the Judges discretion, upon the Examination of the Attornies (or whom else they please) to receive the Defendants to their Law, or to try the same by Enquest.

Wales.

I. *In the second Volume of the Book of Old Statutes is a long Act made Anno 12 E. 5. Intituled, Statuta Wallie, whereby it appeareth, that Wales was then incorporated and united to England; and there you shall also find many good Laws concerning the Division of Wales into Counties, Trials and Divisions of Actions, together with divers Forms of Writs, and the proceeding thereupon much like to the Laws of England. For all which see there that Act at large.*

II. *Stat. 28 E. 3. 2.* All Lords of the Marches of *Wales* shall be perpetually attending and annexed to the Crown of *England*, as they and their Ancestors have been in times past, and not to the Principality of *Wales*, in whose Hands the same shall come.

III. *Stat. 9 H. 4. 4.* No Thief or Felon in *Wales* (openly known) shall be suffered to disclaim out of the Seigniorie where the Felony was committed; but such manner of Disclaimer shall be from henceforth utterly put out; and such Thieves shall be put to answer to Indictments and other Accusations in the Seigniorie where they are taken, without being delivered by disclaiming, or Letters of Mark.

IV. *Stat. 2 H. 5. Stat. 2. 5.* If a *Welshman*, that doth forcibly take and detain an *Englishman* until he be ransomed, will not, upon Process awarded against him by the Justices, appear and answer the same until he be Outlawed; the Justices shall certifie the same under their Seals to the Officers of the Seig-

Seigniories where such Outlaw is, who shall apprehend and do execution upon him according to the Law. *But this is now altered by 27 H. 8. 26. which see after.*

V. Stat. 26 H. 8. 4. Forthwith upon the charge given to an Enquest in *Wales*, or the Marches thereof, upon any Traverse against the King, or Trial of any Recognizance broken, or any Forfeiture due to the King, or upon Trial of any Murderer, Felon or Accessary, an Officer or other Person shall be deputed and sworn in open Court for the true keeping of the Jurors, who (without special Order of the Court) shall not suffer them to have any Bread, Drink, Meat, Fire, or Light, nor to speak to any Person whatsoever, nor shall speak to them himself, before they are agreed upon their Verdict, unless it be only to ask them whether or no they are agreed; and all this such keeper shall observe, in pain to be Imprisoned and Fined at the discretion of the Court.

VI. Here, if the Jurors give any untrue Verdict against the King, contrary to good and pregnant Evidence, or otherwise misdemean themselves, the Lord President and Council (upon complaint thereof) have power to convent them before the said Council, and to punish them at their Discretions.

VII. Stat. 26 H. 8. 6. All Persons dwelling in *Wales*, or the Marches thereof, upon warning of any Court to be kept within their respective Limits, shall appear there in proper Person to do their Service, in pain of such Fines, Forfeitures and Amerciaments, as shall be assessed upon them by the respective Courts where they owe such Service, to be levied by Distress to the use of the King, within his Lordships there, and of other Lords Marchers within theirs.

VIII. If any Steward or other Officer there do feign any untrue Surmise against any Person that shall so appear, as aforesaid, and thereupon commit him to Prison, contrary to Law, or the Custom of that Lordship, the Commissioners or Council (upon Complaint) have power to send for such Steward or Officer; and if upon good Proof it be found that the Party was so Imprisoned without lawful Cause, they shall assess such Steward or Officer to pay him 6 s. 8 d. for every Day of his Imprisonment, or more at their Discretions, as the Damage shall deserve; the Commissioners shall also fine him to the King's use, whether he appear or not, and may compel him by Imprisonment to pay such Fines and Penalties both to the King and the Party grieved.

IX. None in *Wales*, or the Marches thereof, coming to any Sessions or Court there, shall bring or cause to be brought thither, or to any other Place within two Miles thereof, or to any Town, Church, Fair, Market, or other Congregation, except upon a Hue and Cry, into the High-way, in affray of the Peace of the King's People, any Bill, Low-bow, Cross-

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II. *Stat. 28 E. 3. 2.* All Lords of the Marches of Wales shall be perpetually attending and annexed to the Crown of England, as they and their Ancestors have been in times past, and not to the Principality of Wales, in whose Hands the same shall come.

III. *Stat. 9 H. 4. 4.* No Thief or Felon in Wales (openly known) shall be suffered to disclaim out of the Seigniorie where the Felony was committed; but such manner of Disclaimer shall be from henceforth utterly put out; and such Thieves shall be put to answer to Indictments and other Accusations in the Seigniorie where they are taken, without being delivered by disclaiming, or Letters of Mark.

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VI. Here, if the Jurors give any untrue Verdict against the King, contrary to good and pregnant Evidence, or otherwise misdemean themselves, the Lord President and Council (upon complaint thereof) have power to convent them before the said Council, and to punish them at their Discretions.

VII. Stat. 26 H. 8. 6. All Persons dwelling in *Wales*, or the Marches thereof, upon warning of any Court to be kept within their respective Limits, shall appear there in proper Person to do their Service, in pain of such Fines, Forfeitures and Amerciaments, as shall be assessed upon them by the respective Courts where they owe such Service, to be levied by Distress to the use of the King, within his Lordships there, and of other Lords Marchers within theirs.

VIII. If any Steward or other Officer there do feign any untrue Surmise against any Person that shall so appear, as aforesaid, and thereupon commit him to Prison, contrary to Law, or the Custom of that Lordship, the Commissioners or Council (upon Complaint) have power to send for such Steward or Officer; and if upon good Proof it be found that the Party was so Imprisoned without lawful Cause, they shall assess such Steward or Officer to pay him 6 s. 8 d. for every Day of his Imprisonment, or more at their Discretions, as the Damage shall deserve; the Commissioners shall also fine him to the King's use, whether he appear or not, and may compel him by Imprisonment to pay such Fines and Penalties both to the King and the Party grieved.

IX. None in *Wales*, or the Marches thereof, coming to any Sessions or Court there, shall bring or cause to be brought thither, or to any other Place within two Miles thereof, or to any Town, Church, Fair, Market, or other Congregation, except upon a Hue and Cry, into the High-way, in array of the Peace of the King's People, any Bill, Low-bow, Cross-

bow, Hand-gun, Sword, Staff, Dagger, Halbert, Morespike, Spear, or any other Weapon, Privy Coat, or Armour, in pain to Forfeit the same; unless it be by the Command or Licence of the Justices, a Steward and other Officer, or of the Commissioners or Council there.

X. None, without the Commissioners Licence in Writing, shall there, or in the Counties thereto adjoyning, require or levy any *Commotib. Bydal*, Tenants Ale, or other Collection, or exact any Money, Goods, or other thing, under colour of Marriage, or suffering of their Children saying or singing the first Masses, or Gospels of any Priests or Clerks, or for the Redemption of any Murder, or other Felony, or for any other cause whatsoever; or shall make or procure to be made any Games of Running, Wrestling, Leaping, or any other Games, the Game of Shooting only excepted; in pain to suffer a years Imprisonment, and to be fined at the Discretion of the Commissioners, who shall by this Act have power to hear and determin the said Offences: Neither shall any cast any *Arthel* in any Court there, by reason whereof it may be letted or discontinued at that time, in pain to suffer a years Imprisonment.

XI. Courts in *Wales*, and the Marches thereof, shall be kept in the most sure and peaceable Place of each Lordship Marcher, where the Justice, Steward, or other Officer thereof shall appoint.

XII. Justices of Peace and Gaol-delivery, in the Counties next adjoyning to *Wales*, where the Kings Writ runneth, may hear and determin the Offences of Counterfeiters, Washers, Clippers or Diminishers of Coin, and all Felonies, and their Accessories, committed in *Wales*, or the Marches thereof: And Acquittal or Fine making for any of the said Offences in any Lordship Marcher, shall be no Bar for any Person or Persons indicted for the same within Two years next after such Offence committed.

XIII. The said Justices of Peace and Gaol-delivery have power to award all manner of Process, as well of Outlawry as otherwise, against every such Offender, and shall send to the Lord or Officer of the Lordship where the Offender is resiant, a Certificate under the Seals of two of them at least, of any such Outlawry or Attainder, commanding him, under the pain of 100 l. to be Forfeited to the King, to apprehend, or cause to be apprehended, the Body of such Offender, and safely to keep him until such convenient time, before the next Gaol-delivery of the County where he was so outlawed, as shall be thought fit for his Conveyance thither: and then he shall be conveyed from Marcher to Marcher, by the Lords or Officers thereof, to the said next Sessions of Gaol-delivery of the County where he was so outlawed, as aforesaid. And here, the Lords Marchers and

and Officers aforesaid, by whom he is so to be conveyed, shall not be negligent therein, in pain to Forfeit (each of them so making default) 100 l. to be levied to the Kings use. Also the said Lords or other Officers shall at the said Sessions make due return of such Certificate upon the like pain. Howbeit, here all Traverfes, Challenges, Exceptions, Advantages, and all other Pleas upon any such Outlawry, are saved to the Offender.

XIV. Here an Offender attainted of Felony as Principal or Accessary, upon Surety found to the Good Behaviour, may (for one time only, by the Assent of the President and two Commissioners) be discharged and admitted to a Fine, to be levied for the Kings use, so as no Appeal be then depending against him for such Offences.

XV. Provided, That this Act shall not extend to abridge the Liberty of any Lords Marchers, unless such Offender be Outlawed or Attainted by force of this Act within Two years after the Offence committed.

XVI. All Felonies and their Accessories committed in the County of *Merioneth*, shall be enquired, heard and determined in the Counties of *Gaernarvan* or *Anglesey*, before the Justice of *North-Wales*, or his Deputy, by Enquest of *Carnarvan* and *Anglesey*, or otherwise, at the discretion of such Justice or his Deputy.

XVII. All Officers and their Deputies upon command of the Commissioners or Council, shall bring, send or deliver every Offender in Felony to the Officer of the Lordship Marcher, or other Place where the Offence was committed upon the bounds of such Lordship, or to the said Commissioners or Council, as such Officers shall be commanded, in pain of 40 l. which Command shall be sent by a Serjeant at Arms, or a Pursivant, then Attendant upon the said Council.

XVIII. Stat. 27 H. 8. 7. All the Kings Subjects and Friends may pass freely on Horse back or on foot, and with Cattle, Wares, or otherwise, through all or any of the Forests in *Wales*, without payment of any unlawful Exactions, or suffering any other Damage whatsoever. And no Forester or other shall commit any such Offence, in pain to be tried for the same as Robbers, before the Justices of Peace of the Shire adjoining.

XIX. Cattle which stray into any Forest there, and are challenged within a Year and a day by the right Owner, shall be re-delivered unto him upon demand; and if the Forester or other Officer or Farmer there, refuse to re-deliver them, they shall Forfeit to such Owner double the value of such Cattle, and he may have an Action of *Detinue* for the Recovery of them, to be tried in the County next adjoining; in which Action like

Process of Outlawry shall be had, as in an Action of Trespass at the Common Law.

XX. Stat. 27 H. 8. 26. *Wales* shall be incorporated, united and annexed to and with *England*, and all Persons born there shall enjoy all Liberties as other Subjects in *England* do; also Lands shall descend there according to the *English* Laws, and not after the Form of any *Welsh* Laws or Customs.

XXI. The Laws and Statutes of this Realm, and none other, shall be had, used and executed in *Wales*, in like manner as in this Realm, and as shall be farther declared by this Act.

XXII. Divers Lordships Marchers are united to *English* Counties, others to *Welsh* Counties, and the residue are divided into new particular Counties by themselves, viz. *Monmouth*, *Brecknock*, *Radnor*, *Montgomery* and *Denbigh*.

XXIII. The County of *Monmouth* shall consist of these Lordships, Townships, Parishes, Commotes and Cantredes; viz. *Monmouth*, *Chepstow*, *Maherne*, *Llanchange*, *Magor*, *Goldcliff*, *Newport*, *Wenlong*, *Llanworne*, *Caerlion*, *Uske*, *Treleche*, *Tintern*, *Skinfret*, *Grousmount*, *Witecastle*, *Ragland*, *Calicote*, *Biston*, *Abergavenny*, *Peulose*, *Greenfield*, *Magben* and *Hochbury-stade*; all which said Places shall be hereafter guildable, and reputed as Parts and Members of the County of *Monmouth*, whereof *Monmouth* shall be reputed the Shire-Town; And the Sheriff of the County shall keep his County-Court at *Monmouth* and *Newport*, *alternis vicibus*.

XXIV. All Actions for Lands and other things may be laid and sued in the County of *Monmouth*, and tried there by Assize of *Nisi prius* and *Venire facias*; and all other Process may be awarded thither by the Justices: Also the Inhabitants there shall be obedient to the King's Officers and Laws; and the Sheriffs and Escheators of that County shall perform their Duties, and render an account in the Exchequer, as is used in or for any other County of *England*.

XXV. The Lordships, Towns, &c. to be reputed Members of *Brecknockshire*, shall be *Brecknock*, *Creckbowel*, *Tretoure*, *Penhelly*, *English Talgarth*, *Welsh Talgarth*, *Dians*, the *Hay*, *Glinbogh*, *Broyulles*, *Canterboly*, *Lando*, *Blaintilby*, *Estradow*, *Buelthe* and *Lingros*: Also the Shire-Town shall be *Brecknock*, and the Shire-Court shall be kept there.

XXVI. The Lordships, Towns, &c. of *Radnorshire*, shall be *New-Radnor*, *Elispermam*, *Elvelles*, *Boughrea*, *Glasebury*, *Glawdistre*, *Mibolles Church*, *Meleneth*, *Bluwagh*, *Knighton*, *Norton*, *Preston*, *Commerhader*, *Rayder*, *Gwetbronyon* and *Stonage*: Here also *New-Radnor* shall be the Shire-Town, and the County or Shire-Court shall be holden at *New-Radnor* and *Rother-Gwy* in the same County, *alternis vicibus*.

XXVII. Those

XXVII. Those of *Montgomeryshire* shall be *Montgomery, Ced-
wenery, Cawryland, Atustely, Kivilocks, Doythur, Powesland,
Clunefland, Baleslo, Tempcester* and *Alcestre*: Whereof *Mont-
gomery* shall be the Shire-Town, and the County-Court shall be
holden there, and at *Magbenteth* in the same County, *alternis
vicibus*.

XXVIII. Those of *Denbighshire* shall be *Denbighland, Rutbin,
Saint Kyllotbowin, Bromfield, Yale, Chirk, Chiekland, Molef-
dale* and *Hopesdale*: The Shire-Town also shall be *Denbigh*, and
the County-Court shall be holden at *Denbigh* and *Wrexham* in
the said County, *alternis vicibus*.

XXIX. The King shall yearly appoint Sheriffs, Escheators, and
other Officers Accomptants for the Counties of *Brecknock, Rad-
nor, Montgomery* and *Denbigh*, and shall have a Chancery and
Exchequer at *Brecknock*, where the said Officers of the Counties
of *Brecknock* and *Radnor* shall yearly Account before such Audi-
tors, Chamberlain and Baron, as the King shall appoint for that
purpose. There shall be also another Chancery and Exchequer at
Denbigh, where the said Officers of the Counties of *Montgomery*
and *Denbigh* shall also Account before such Auditors, Cham-
berlain and Baron, as aforesaid.

XXX. Justice shall be administred and executed in the Coun-
ties of *Brecknock, Radnor, Montgomery* and *Denbigh*, according
to the Laws and Statutes of *England*, and such other Customs and
Laws now used in *Wales*, as the King and his Council shall allow,
by such Justice or Justices as shall be thereunto appointed by the
King, and after such manner as Justice is administred in the Coun-
ties of *North-Wales*.

XXXI. In the Marches of *Wales* there shall be made guildable
and annexed to the County of *Salop*, the Lordships, Towns, Pari-
shes, Commotes, Hundreds and Cantredes, of *Oswestrie, Whet-
ington, Masbroke, Knoking, Ellesmere, Down* and *Cherbury* Hundred.
Here also *Oswestrie, Whetington, Masbroke* and *Knoking*, shall be
known by the name of the Hundred of *Oswestrie*, and the Inha-
bitants thereof shall be attendant at Sessions, Assizes, and Goal-
delivery, as the Inhabitants of other Hundreds within the said
County of *Salop* use to do; Also *Ellesmere cum membris* shall
be united to the Hundred of *Pimbill in Com. Salop*, and the Inha-
bitants thereof shall be attended, as aforesaid; likewise the Lord-
ship of *Down cum membris* shall be united to the Hundred of
Cherbury in Com. Salop, and the Inhabitants thereof shall give their
attendance, as aforesaid. Howbeit, neither the said Hundreds of
Cherbury nor *Oswestrie*, nor the Lordship of *Ellesmere*, shall be
hereby otherwise privileged than as Hundreds annexed to the
County of *Salop*, as other Hundreds be within the said County.

XXXII. In like manner the Lordships, Towns, Hundreds, &c.
annexed to the County of *Hereford*, are *Ewyas-Lacy, Ewyas,
Harold, Clifford, Winforton, Terdesty, Huntington, Whitney*, and
Wig-

Wigmore, and *Logbarnes*, and *Staphluton*. Whereof *Wigmore* *Logbarnes*, with their Members, shall be called the Hundred of *Wigmore*; and *Ewyas Lacy*, cum *membris*, the Hundred of *Ewyas Lacy*, but *Ewyas Harold* shall be united to the Hundred of *Webtree* in *Com. Hereford*; and *Clifford*, *Winsorton*, *Yerdeſly*, *Witney* and *Huntington*, shall be called the Hundred of *Huntington*. Here also the Inhabitants shall be attendant at Sessions, Affizes and Gaol-delivery holden for the County of *Hereford*; but these Lordships, &c. shall claim no Privilege but as Hundreds or Members of the Hundreds of the same County.

XXXIII. Likewise the Lordships, Towns and Parishes of *Wolaston*, *Tidman* and *Becheby*, and all Honours, Lordships, Castles, Lands, Tenements and Hereditaments, lying between *Chepstow* Bridge and *Glocestershire*, shall be annexed to the County of *Glocester* as part thereof, and shall be parcel of the Hundred of *Wesebury* in that County: Also the Inhabitants thereof shall be attendant, as aforesaid, and shall claim no Privilege but as Members of the Hundred of *Wesebury* aforesaid.

XXXIV. *Gowerwilney*, *Bishops town*, *Landaffe*, *Signithe supra*, *Signithe subtus*, *Mitkin*, *Ogmore*, *Glencothney*, *Tallagarn*, *Ruthin*, *Tallavan*, *Lambelthion*, *Lantwid*, *Tyerial*, *Avan*, *Netb*, *Landway* and the *Clays*, shall be guildable and united to the County of *Glamorgan*; and Justice shall be administred in *Glamorganshire* (so united) according to the Laws of *England*, as in the three Counties of *North-Wales*, and not according to the *Welsh* Laws.

XXXV. *Lanemthowery*, *Abermelas*, *Radwely*, *Elkenning*, *Cornwolthton*, *Newcastle*, *Emlin* and *Abergoyly*, shall be guildable, and annexed to the County of *Caermarthen*; where also Justice shall be administred as aforesaid.

XXXVI. *Haverford-west*, *Kilgaran*, *Lanſſaffan*, *Landbern* alias *Tellangbern*, *Walwinſcaſtle*, *Dewis-land*, *Lannibadden*, *Tanfroy*, *Herberth*, *Slebeche*, *Rosmarket*, *Castellan*, and *Land of Loure*, shall be guildable, and annexed to the County of *Pembroke*; wherein Justice shall be administred as aforesaid.

XXXVII. *Tregarn*, *Genarglin*, *Landwy* and *Ureney*, shall be guildable, and united to the County of *Cardigan*; and there also Justice shall be administred as aforesaid.

XXXVIII. *Mountway* shall be guildable, and annexed to the County of *Merioneth* in *North-Wales*, as a Commote or part thereof.

XXXIX. All Justices, Commissioners, Sheriffs, Coroners, Escheators, Stewards, and their Lieutenants, and all other Officers and Ministers of Law, shall proclaim and keep Sessions, Courts, Hundreds, Leets, County-Courts, and all other Courts, in the *Engliſh* Tongue; and all Oaths of Officers, Juries and Inquests, and all Affidavits, Verdicts, and Wagers of Law, shall be given and done in the same Tongue.

XL. None that use the *Welsh* Language shall have or enjoy any Office or Fees in any of the Kings Dominions, but shall forfeit them, unless he use the *Englisb*.

XLI. The Sheriffs of *Monmouth, Brecknock, Radnor, Montgomery, and Denbigh*, shall put every unruly Person under common Mainprise, as the Sheriffs of the three Counties of *North-Wales* use to do.

XLII. The Sheriff of *Monmouth* shall certifie such Recognizances, common Mainprise, and Surety of Appearance, at every Quarter-Sessions of that County; and the Persons so bailed shall appear at the two next Sessions holden at *Easter* and *Michaelmas*, until they be released.

XLIII. The Sheriffs of *Brecknock, Radnor, Montgomery* and *Denbigh*, shall certifie such Recognizances, &c. before such Justice as the King shall appoint, at every Sessions to be holden in the said Counties.

XLIV. All Persons under Bail for appearance, in the County of *Brecknock, Radnor, Montgomery, Denbigh, Glamorgan, Caermarthen, Pembroke* and *Cardigan*, (either by the Sheriffs or Justices of those Counties) shall appear before the said Justices at every Sessions, as is used in the three Counties of *North-Wales*.

XLV. The Lay and Temporal Lords Marchers shall have the Moiety of every such Recognizance forfeited within their respective Precincts, to be paid them by the Sheriff, (if he can levy them;) who is also to answer the other Moiety to the King in the Exchequer upon his account.

XLVI. The Lord Chancellor shall (forthwith after this Parliament) direct a Commission under the Great Seal for the Division of the Counties of *Caermarthen, Pembroke, Cardigan, Monmouth, Brecknock, Radnor, Montgomery, Glamorgan* and *Denbigh*, into convenient Hundreds, to be returned into the Chancery, and there to remain of Record; which shall be of like force as an Act of Parliament.

XLVII. Commissions also shall issue forth to enquire after the *Welsh* Laws and Customs; and such of them as shall be thought fit (by the King and Council) to be continued, shall stand and be in full force notwithstanding this Act.

XLVIII. Two Knights for the County, and one Burges for the Borough of *Monmouth*, shall be chosen to serve in Parliament.

XLIX. Also one Knight shall be chosen for each County of *Brecknock, Radnor, Montgomery* and *Denbigh*, and for every other County in *Wales*; and for every Borough, being a Shire-Town, (except the Shire Town of *Merioneth*) one Burges.

L. The said Knights and Burgeses shall be elected, and enjoy like Privileges and Fees, as Knights and Burgeses of *England*. And the Knights Fees shall be levied of the Commons of each County; and those of the Burgeses, as well of the Shire Towns

whereof they be Burgesſes, and of all other ancient Boroughs within the ſaid reſpective Counties.

LI. All Lords Marchers ſhall enjoy all ſuch Liberties, Miſes, and Profits as they had, or uſed to have, at the firſt Entry into their Lands in times paſt, notwithſtanding this Act.

LII. The Laws and Customs of the three Counties of *North-Wales*, and of the County Palatine of *Lancaster* are ſaved.

LIII. This Act ſhall not extend to derogate any other Act heretofore made for the Trial of Treason, Murder or Felony, or Accesseſſaries thereunto, committed in any Lordſhip Marcher in *Wales*, or in any County of *England* next adjacent thereunto.

LIV. Lands by the Custom partible among Males ſhall ſo continue notwithſtanding this Act.

LV. The King hath power (within three Years) to ſuſpend or repeal this Act; as alſo (within five Years) to erect as many Courts (of Record or others) and to appoint as many Juſtices and other Officers in *Wales* as he ſhould think fit.

LVI. Stat. 33 H. 8. 13. *Hope*, *Aſaph*, *Hawarden*, *Modeſdale*, *Moreford* and *Oſeley*, ſhall be reputed to be within the County of *Flint*, as part thereof, and not in any other County. Howbeit, they ſhall pay their Taxes with the Inhabitants of ſuch Shire or Shires as hath been formerly accuſtomed.

LVII. Alſo *Hope*, *Modeſdale*, *Moreford*, *Oſeley* and *Hawarden*, ſhall be called the Hundred of *Modeſdale* in the County of *Flint*; and *Aſaph* ſhall be reputed Parcel of the Hundred of *Rutland* in the ſame County.

LVIII. Stat. 34 & 35 H. 8. 26. *Wales* ſhall be divided into twelve Counties, whereof eight were ancient Counties, viz. *Glamorgan*, *Caermarthen*, *Pembroke*, *Cardigan*, *Flint*, *Carnarvon*, *Angleſey* and *Merioneth*; alſo four other were made by the Statute of 27 H. 8. 26. viz. *Radnor*, *Brecknock*, *Montgomery* and *Denbigh*; beſides the County of *Monmouth*, and divers Lordſhips united to the Counties of *Salop*, *Hereford* and *Glouceſter*.

LIX. The Limitation of Hundreds, lately made within the ſaid Counties by Commiſſion out of the Chancery, and again returned thither, ſhall ſtand in Force, except ſuch of the ſame as have been ſince altered by any Act, and ſhall be altered by this.

LX. There ſhall remain a Preſident and Council in *Wales* and Marches thereof, with Officers and Incidents thereunto, as hath been uſed; which Preſident and Council ſhall hear and determine ſuch Cauſes as ſhall be assigned to them by the King, as heretofore hath alſo been uſed.

This laſt Section repealed by Stat. 1 W. & M. cap. 27.

LXI. Sessions shall be kept twice a Year in the County of Glamorgan, Brecknock, Radnor, Caermarthen, Pembroke, Cardigan, Montgomery, Denbigh, Carnarvan, Flint, Merioneth and Anglesey; which Sessions shall be called the King's Great Sessions.

LXII. The Justices of Chester shall hold Sessions twice a Year in the Counties of Denbigh, Flint and Montgomery, for the old Fee of 100 l. per annum.

LXIII. The Justices of North-Wales shall do the like in the Counties of Carnarvan, Merioneth and Anglesey, and shall have a Fee of 50 l. per annum.

LXIV. A Person Learned in the Law (to be appointed by the King) shall be Justice in the Counties of Radnor, Brecknock and Glamorgan, and shall likewise hold Sessions twice a Year, and have for his Fee 50 l. per annum.

LXV. Another such Person (to be appointed as aforesaid) shall be Justice in the Counties of Caermarthen, Pembroke and Cardigan, and shall hold Sessions, and have Fee, as aforesaid.

LXVI. The said Justices shall have Commissions under the Great Seal for their Offices, to be executed by themselves or their Deputies.

LXVII. These Justices may hold Pleas for the Crown, in as large manner as the Lord Chief Justice, or the other Justices of that Bench may do; and also Pleas of Assizes, and all other Pleas and Actions, real, personal and mixt, in as large manner as the Chief Justice of the Common Pleas, or the other Justices of that Court may do.

LXVIII. They shall also enquire, hear and determin all criminal Offences whatsoever committed within their several Limits, and administer common Justice to all the King's Subjects there, according to the Laws, Statutes and Customs of England, and this present Ordinance.

LXIX. The said Sessions shall each of them hold six Days, as hath been used in North-Wales; and notice thereof shall be given (by Proclamation) fifteen Days (at least) before they keep the same.

LXX. Days shall be given in all Pleas, Complaints, Process and Adjournments from Day to Day, and from Sessions to Sessions, at the Discretion of the said Justices; for the good and speedy Administration of Justice.

LXXI. The Seal for the three Counties of North-Wales, viz. Merioneth, Carnarvan and Anglesey, shall remain in the custody of the Chamberlain of North-Wales; the Seal of Caermarthen, Pembroke and Cardigan, with the Chamberlain of South-Wales; that for Brecknock, Radnor and Glamorgan, with the Steward and Chamberlain of Brecknock; that for Denbigh and Montgomery, with the Steward and Chamberlain of Denbigh; and that for Flint, with the Chamberlain of Chester.

LXXII. The

LXXII. The said Stewards and Chamberlains shall with the Seals, seal all Original Writs and Process returnable before the Justices at the Sessions, as aforesaid, and shall answer the Profits thereof to the King: But none of them, or any Chancellor, shall by occasion of keeping such Seals compel any Person, inhabiting in any of the said twelve Shires, to appear before themselves or their Deputies, or hear and determine any Pleas or Causes whatsoever, otherwise than as by this Ordinance is limited: And such Writs and Process shall be returned before the said Justices, as hath been used before the Justices of *North-Wales*.

LXXIII. All that shall be Stewards, Chamberlains, or Chancellors within any of the said twelve Shires, having Offices of Receipt, Collection of Account of any of the King's Rents, Revenues or Profits there, may direct Process under the said Seal (being in their Charge) within the Limits of their Authorities against Bailiffs, Reeves, Farmers, and other Ministers Accomptant, to appear before themselves for any such Rents, Revenues, Farms or Profits, as hath been heretofore used; but for nothing else, nor to any other Person.

LXXIV. The Stewards also may hold Leets, Law-days, or Courts baron of Lordships whereof they are Stewards, and also Pleas by Plaint under Forty Shillings in every such Court-baron, and have and enjoy all Authorities and Profits thereunto belonging, notwithstanding any Law or Custom in *Wales* to the contrary. Howbeit, neither they nor Sheriffs shall have power to enquire of Felonies in any such Leet, Law-day, or Turn; neither shall they keep any Leet or Law-day, but at such Places where they were used to be kept before the Statute of 26 H. 8. 6. so as the Place be convenient for the keeping of such Courts.

LXXV. Mayors, Bailiffs and Head Officers of Corporate Towns in *Wales*, may hold Pleas, and determine Actions, so as they observe the Laws of *England*, and not *Welsh* Laws or Customs: They may also try Issues by six Men (as in divers places hath been used) notwithstanding this Act.

LXXVI. The King may within Seven Years dissolve Boroughs in *Wales*, and erect others there by his Letters Patents.

LXXVII. Officers certain Fees (appearing in the King's Letters Patents) shall continue, but not their casual Fees, claimed by colour of their Offices; any Custom in *Wales* or this Act to the contrary notwithstanding.

LXXVIII. Each Justice shall also have a judicial Seal, to seal all Bills and Judicial Processes sued before them in the Sessions, whereof the first shall remain with the Justice of *Chester*, for *Flint*, *Denbigh* and *Montgomery*; the second with the Justice of *North-Wales*; the third with the Justice of *Glamorgan*,
Brecknock

Brecknock and *Radnor*; and the fourth with the Justice of *Pembroke*, *Caermarthen* and *Cardigan*. Also every such Justice shall accompt and answer to the King the Profits of the Seal in his Custody, as shall be hereafter declared. And the *Tytle* of every Bill and Process that passeth under such Seal, shall be under the name of the Justice that issueth it out, as is used in the Common Pleas in *England*.

LXXIX. All Actions real and mixt, Attaints, Conspiracies, Affizes, *Quare Impeditis*, Appeals of Murder and Felony, and all Actions grounded upon any Statute, shall be sued by Original Writs sealed with the Original Seal, and returnable before the Justices at their Sessions; but all personal Actions, as Debt, Detinue, Trespass, Account, and the like, amounting to the Sum of 40*s.* or above, shall be sued by such Writs Original, or by Bills, at the Election of the Plaintiff, as is used in *North-Wales*.

LXXX. All personal Actions under the Sum of 40*s.* may be sued by Original Bill, (as is also used in *North-Wales*) sealed by the Judicial Seal remaining in the Custody of the Justice.

LXXXI. The Fee for sealing every Original Writ upon the Causes aforesaid, and for every Bill in Actions personal, (when the Debt and Damages amount to 40*s.* or above) is 6*d.* and for every Judicial Process sued upon any such Original Writ or Bill, 7*d.* whereof the King shall have 6*d.* and the Justice 1*d.* And for every Bill in personal Actions, when the Debt and Damages amount not to 40*s.* and for every Judicial Process to be sued upon the same, 3*d.* whereof the King is to have 2*d.* and the Justice 1*d.*

LXXXII. All Writs of *Scire facias*, and Writs of *Good-bearing*, or for the Peace, or Writs of *Superfedeas* upon the same, and all other Process sued before the Justices upon any Record or Suggestion, shall be sealed with the Judicial Seal, for which the Plaintiff shall pay 7*d.* whereof the King is to have 6*d.* and the Justice 1*d.*

LXXXIII. Every Exemplification upon any Record shall be sealed by the Judicial Seal, for which the Plaintiff shall pay 20*d.* whereof the King is to have 16*d.* and the Justice 4*d.*

LXXXIV. Recoveries and Fines, Concords, and Warrants of Attorney for the same, may be taken before the said Justices, of Lands, Tenements and Hereditaments within their Authority, by force of their general Commission, without any *Dedimus*, as is used before the Chief Justice of the Common Pleas.

LXXXV. All Fines levied before any of the Justices with Proclamation made the same Sessions they shall be engrossed, and in two other great Sessions then next following, shall be

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of the same Force as Fines levied with Proclamations before the Justices of the *Common Pleas*.

LXXXVI. Every Person suing Writs of Entry in the *Post*, or Writs of Covenant, or any other Writs for any Recovery to be had, (by assent or otherwise) or for any Fine to be levied, shall pay Fines to the King's use for the same, (as well Fines *pro licentia concordandi*, as all other Fines) as is used in Chancery, or elsewhere in the King's Courts of *England*; which Fines shall be paid to such Persons as shall Seal the Original Writs for that purpose, who shall accompt for the same, as they do for the Profits of the said Original Seal.

LXXXVII. Also the King's Silver (upon every such Fine) shall be paid as is used in the *Common Pleas* of *England*, viz. 2 s. and shall be received by the Justices before whom such Fine is levied; whereof the King shall have 16 d. the Prothonotary for entering it 2 d. and the Justice the rest, who shall accompt for the King's Profit, as he doth for the Profits of the Judicial Seal.

LXXXVIII. The four said Justices shall have each of them a Prothonotary to attend upon them, for the entering of all Pleas, Process and Matters of Record in Sessions to be holden before the said Justices.

LXXXIX. There shall be a Marshal and a Crier in every of the said Circuits, to be named by the said Justices, as Justices of Assize in *England* use to do; which Officers shall attend upon the said Justices in their Circuits in proper Person, and not by Deputy.

XC. The Marshal shall have upon every Judgment and every Fine 4 d. and the Cryer 1 d. And the like Fees shall be paid upon the Acquittal of Felons, and of such as be delivered by Proclamation, or out of common Mainprize.

XCI. Here also are set down the Fees that the Prothonotaries shall take for Writs, Entries, Judgments, &c. *For which see the Statute at large.*

XCII. The King shall have all Fines, Issues, Amerciaments, and Recognizances forfeited, which the Prothonotaries shall yearly estreat into the Exchequer appointed for that Limit, that Process may be awarded to the Sheriff to levy them for the King's use; which Sheriff shall yearly accompt before the King's Auditors to be thereunto assigned.

XCIII. Besides the President, Council and Justices aforesaid, there shall be Justices of Peace and *Quorum*, and also one *Custos Rotulorum* in every of the said twelve Counties, who shall be appointed by the Chancellor of *England*, by Commission under the Great Seal, with the Advice of the President, Council and Justices aforesaid, or three of them, whereof the President to be one.

XCIV. There shall not be more than eight Justices of Peace in any of the said twelve Shires, besides the President, Council and Justices aforesaid, and the King's Attorney and Solicitor; all which Persons shall be also put in every such Commission.

This Section is Repealed by Stat. 5 & 6 W. & M. cap. 4.

XCV. These Justices of Peace shall be of good Name and Fame, and may exercise their Office, albeit they have not 20 l. *per annum*, or be not learned in Law; but before they shall execute their Commission, they shall take such Oath as Justices of Peace in *England* use to take, before the Chancellor of *England*, or else before the President, or one of the same Justices of *Wales* by *Dedimus*, or before some other to be appointed by the Lord Chancellor for the purpose.

XCVI. The said Justices of Peace, or two of them at least, (1 *Quorum*) shall keep their Sessions four times in the Year, and at other times also upon urgent cases, as Justices of Peace in *England* use to do, for which they shall also have such Allowances for themselves and their Clerks, as the Justices in *England* have.

XCVII. Here, the Fee for a Warrant of the Peace or Good abearing, is 6 d. for entring of Pledges to pay the King a Fine, upon an Indictment, 9 d. and if it be with Protestation, 12 d. for a *Superfedeas* 8 d. and for a Recognizance, 12 d.

XCVIII. These Justices of Peace shall certify Recognizances taken before any of them for the Peace and Good abearing into the next Sessions; but Recognizances taken before them for Suspicion of Felony, shall be certified before the Justices at the next great Sessions, without concealing them, upon such Penalties as be therefore ordained.

XCIX. All Fines and Amerciaments lost before the Justices of Peace shall be asserted by two of them at least, (1 *Quorum*) and shall be duly set without Partiality.

C. All such Fines and Amerciaments, as also all Issues lost, forfeited Recognizances, and other Forfeitures before the said Justices of Peace, shall be yearly estreated by the Clerks of the Peace, into the Exchequer appointed for that Limit; to the end that Proccesses may be thereupon awarded for the levying of them for the King's use to the Sheriff of every County, who shall account before such Auditors as shall be thereto assigned, which Auditors shall make due Allowance unto the Sheriffs upon their Accompts, for the Fees of the Justices and Clerks of the Peace as is used in *England*.

CI. The President, Council and Justices of *Wales*, or three of them at least, (whereof the President to be one) shall yearly nominate three able Persons in every of the said twelve Shires to be Sheriffs thereof, and shall certify their Names to the Lords of the Privy Council *Craft. Animarum*, to the end the

the King may appoint one of them in every of the said Shires to be the Sheriff for that Year, like as is used in *England*; And thereupon the said Sheriffs shall have their Patents under the Great Seal of *England*, and shall make Oath and acknowledge Recognizances before the President and Justices, or one of them, by a *Dedimus*, for the due Execution of their Offices; and for their Accompt before the King's Auditors assigned for *Wales*.

CII. The said Sheriffs have power to use their Offices as Sheriffs of *England* do; shall be observant to all lawful Commands and Precepts of the President, Council, Justices of *Wales*, Justices of Peace, Escheators and Coroners, and every of them, in all things appertaining to their Offices; shall yearly accompt to the Auditor or Auditors assigned by the King for *Wales*; and shall each of them have yearly for his Fee 5 *l*.

CIII. All Officers and other Persons in *Wales*, shall be obedient, attendant and assisting to the President, Council and Justices of *Wales*, and shall obey the King's Commands and Process from any of them directed, and all lawful and reasonable Precepts of them and every of them; and also shall be obedient to all Justices of Peace, Sheriffs and Escheators, within their several Limits, in all things appertaining to their Duties and Offices.

CIV. Also Escheators shall be named in every of the said Counties by the Treasurer of *England*, with the Advice of the President, Council, or three of them, whereof the President to be one; which Escheators shall make Oaths and acknowledge Recognizances before the President, or one of the Justices, by a *Dedimus*, for the due Execution of their Offices, and for their true Account before the King's Auditor or Auditors to be assigned for that purpose; which Oath and Recognizance shall be agreeable to those used for Escheators in *England*.

CV. Such Escheators shall yearly have their Patents under the Great Seal, and shall exercise their Offices as Escheators in *England*; and shall be bound to all Laws and Statutes of *England*; but they need not have above 5 *l*. per Annum Freehold, and shall account yearly before such Auditor or Auditors as the King shall assign for *Wales*.

CVI. There shall be also two Coroners elected for each of the said twelve Shires by the Writ *De coronatore eligendo*, awarded out of the Chancery of *England*; which Coroners shall exercise their Offices, and have like Fees as in *England*: Only the Writ *de Cor. elig.* for the County of *Flint*, shall be directed out of the Exchequer of *Chester*.

CVII. The Justices of Peace, or two of them, (i *Quorum*) shall appoint in every Hundred (within their limits) two substantial

stantial Gentlemen or Yeomen to be Chief Constables of the Hundred where they dwell, who shall preserve the Peace and use their Offices, and be bound in all things, as High Constables in *England*.

CVIII. The Sheriff shall have a Goal in a place of the Castle of the Shire-Town, or such other convenient place, as by the President, Council and Justices, or three of them (whereof the President to be one) shall be appointed, any Patent or Grant notwithstanding. The Sheriff also shall make Bailiffs of the Hundred, who shall attend upon the Justices at their Courts and Sessions.

CIX. Sheriffs shall keep their Counties Monthly, and their Hundred Courts for Pleas under 40s. and shall take for entring of Plaints, Procefs, Pleas and Judgments there as used in *England*, and not above. Also all Trials in such Courts, as before Stewards in Courts-Baron, shall be by Wager of Law, or Verdict of six Men, at the Election of the Party, Plaintiff or Defendant that pleads the Plea.

CX. Sheriffs shall hold their Turns yearly after *Easter* and *Michaelmas*, as is used in *England*.

CXI. The King shall have all Fines, Issues, Amerciaments and Forfeitures lost in the said Courts and Turn, to his own use, and the Sheriff shall account for the same accordingly, having been first offered by the Justices of Assize of that Circuit before they be levied; and the Sheriff shall not levy them before they be so offered, in pain to forfeit to the King 40s. Also the Sheriff upon every Judgment in his County or Hundred Court may award a *Capias ad satisfaciendum*, or a *Fieri facias*, at the Election of the Plaintiff.

CXII. Certain Fees which the Sheriff is to have for the Return and Execution of divers Writs. *For which see the Statute at large.*

CXIII. Every Sheriff within his Limit may put suspicious Persons under common Mainprize, according to the Statute of 37 H. 8. 26. (*which see before*) binding them with two sufficient Sureties by Recognizance, to appear before the Justices at the next great Sessions, and shall then also certify the Names of the Parties so bound, without Concealment.

CXIV. The Sheriff's Fee for taking such common Mainprize is 2d. but he shall take no Fee for the Return of any Writ of Execution, unless he return the same executed.

CXV. The Fees of Sheriffs, Escheators and Coroners, and their Ministers, Prothonotaries, and their Clerks, and other Ministers of Justice in *Wales*, shall be rated, augmented and diminished, by the President, Council and Justices, or by three of them, whereof the President to be one, from time to time at their Discretions.

CXVI. None

CXVI. None for Murder or Felony shall be put to his Fine, but suffer according to the Laws of *England*, except it please the King to pardon him : And if the Justices see cause of Pity, or other Consideration, they may reprieve the Prisoner till they have advertised the King of the Matter.

CXVII. The Statute of the 26 *H. 8. 6.* (*which see before*) is confirmed, notwithstanding this Act, and from henceforth shall be put in Execution.

CXVIII. *Abertannad*, heretofore reputed parcel of the County of *Merioneth*, shall now be annexed to *Salop*, and be reputed parcel of the Hundred of *Oswestrie*.

CXIX. If any Foreign Plea or Voucher be pleaded or made before any of the Justices of *Wales*, triable in any other County in *Wales* ; in this case the said Justice shall send the King's Writ, with a Transcript of the Record, unto the Justice of the County where the Matter is triable, commanding him to proceed to the Trial thereof according to Law ; which Trial being had, he shall remand it with the whole Record unto the Justice that sent it, who thereupon shall proceed to Judgment, as the Cause shall require. But if such Plea or Voucher be triable in *England*, the Justice of *Wales*, before whom they are pleaded or made, may proceed to Trial thereof in such County of *Wales* whereby they are so pleaded or made, such Foreign Plea or Voucher notwithstanding.

CXX. All Lands, Tenements and Hereditaments in *Wales*, and in the Lordships and Places annexed (by the Statute of 27 *H. 8. 26.*) to the Counties of *Salop*, *Hereford*, *Gloucester*, or any other Shires, shall be *English* Tenure, and not partible amongst Heirs Males, according to the Custom of Gavelkind.

CXXI. No Mortgages of Lands, &c. made in any of the Counties or Places, shall be hereafter allowed or admitted otherwise than after the course of the Common Law and Statutes of *England*.

CXXII. It shall be lawful for all Persons to alien their Lands, &c. in *Wales*, the County of *Monmouth*, and other Places annexed, as aforesaid, from them and their Heirs to any Person or Persons in Fee-simple, Fee-tail, for Life or Years, according to the Laws of *England* ; notwithstanding any *Welsh* Law or Custom to the contrary.

CXXIII. If any Person having Lands in *Wales* be bound in *England* by a Statute-Staple or Recognizance, and pay not the Debt accordingly ; in such cases, upon Certificate into the Chancery of *England*, Processes shall be made to the Sheriffs of *Wales* out of the said Chancery, for the due levying of the said Debt as is used in *England*. Howbeit, for such Recognizances as are taken in the *Kings-Bench* or *Common-Pleas* of *England*, Processes shall be pursued immediately from the Justices of the said Courts, as in *England* is also used.

CXXIV. All

CXXIV. All such Writs, Bills, Pleas, Process, Challenges and Trials, shall be used throughout all the Shires afore said, as are used in *North-Wales*, or as shall be devised by the President, Council and Justices, or three of them, whereof the President to be one.

CXXV. Where there shall be some Suits in Pleas personal which cannot be well tried before the Justices in the Great Sessions, for shortness of time, such Issues may be tried at the Petty Sessions before the Deputy Justices, as is used in the three Counties of *North-Wales*; save only for such Suits as by the discretion of the said Justices shall be necessary to be tried before themselves: Howbeit, there shall be no Suit taken before any of the said Justices by Bill, under the Sum of 20 s.

CXXVI. No other Liberties Franchises, or Customs shall be used or claimed in any Lordship which was anciently part of *Wales*, (whosoever be Owner or Owners thereof) but only such as be given to the Lords thereof, by force of the Statute of 27 H. 8. 26. and not altered by this Act, notwithstanding the Statute of 32 H. 8. 20. which see in Franchises.

CXXVII. If any Murder or Felony be committed in *Wales*, the Party or Parties grieved shall make no Agreement with the Offender, or with any other in his behalf, unless he first acquaint the President, Council or Justices therewith, in pain of Imprisonment and grievous Fine at the discretion of the President, Council and Justices, or two of them, whereof the President to be one. The like punishment also they shall incur that labour or procure such Agreement, although it never take effect.

CXXVIII. If any person, or they whose Estate he hath, have peaceable Possession of Lands in *Wales* by the space of five years, without interruption or Lawful claim, such person shall continue the same, until they be recovered from him by Law, or Decree of the President or Council there.

CXXIX. If in personal Actions pursued before the Justices, nine of the Jury being sworn, and the residue make default, or be tired out; in that case the Sheriff may return other names *de circumstantibus*, until the Jury be full, as is used in *North-Wales* and elsewhere in such cases.

CXXX. No Sale of Goods or Cattle stolen in *Wales*, and sold in any Fair or Market there, shall alter the Property thereof, such Sale notwithstanding.

CXXXI. No person shall buy any quick Cattle in *Wales* out of the Fair or Market, unless he can produce credible witness of the person, place and time, of whom, where and when he so bought the same, in pain of such punishment and fine as shall be set by the President and Council, or any of the Justices in his Circuit, and to answer it at his farther peril.

CXXXII. If any Goods or Cattle be stolen in *Wales*, the Tract shall be followed from Town to Town, and Lordship to Lordship, according to the Laws and Customs heretofore used in *Wales*, upon such penalty as hath been heretofore accustomed.

CXXXIII. Any Man (being a Free-holder) may pass upon a Jury in all causes both criminal and civil, Attaint only excepted; saving to every Man his lawful challenge, according to the Laws of *England*: Howbeit, none shall pass in Attaint, unless he have Free-hold of 40 s. *per Annum*.

CXXXIV. Tenants and Resiants in *Wales*, shall pay their Tallage at the change of their Lords, in such places, and after such form as hath been accustomed in *Wales*.

CXXXV. The King's Subjects in *Wales* shall find at the Parliaments in *England* Knights for the Counties, and Citizens and Burgeses for the Cities and Towns, to be chosen by the King's Writ, according to the Statute of 27 H. 8. 26. and shall also be chargeable to all Subsidies, and other charges granted by the Commons of the said Parliament, and pay all other Rents, Farms, Customs and Duties to the King, as hath been accustomed, Fines for Redemption of Sessions only excepted, which the King is pleased to remit.

CXXXVI. *Haverford-west* shall find one Burges for that Town, whose charges shall be born by the Mayor, Burgeses and Inhabitants of the said Town, and by none other.

CXXXVII. The King shall have all Felons Goods, Goods of persons Outlawed, Waifs, Estrays, and all other Forfeitures and Escheats, and shall be answered thereof by the Sheriffs; saving the right of all others having lawful title thereto.

CXXXVIII. Errors and Judgments before any of the Justices in their great Sessions, in Pleas real and mixt, shall be redressed by Writ of Error, out of the Chancery of *England*, returnable before the Justices of the *Common Pleas*, as other Writs of Error be in *England*; but Errors in Pleas personal shall be reformed by Bill before the President and Council: and if the Judgment be affirmed good in any of the said Writs or Bills, then there to make execution, and all other Process thereupon, as is used in the King's Bench of *England*; and the Plaintiff in every such Writ or Bill to pay for the same like Fees as is used in *England*.

CXXXIX. No execution of any Judgment given in any base Court, shall be stayed by reason of any Writ of false Judgment, but Execution may be had at all times before the Reversal of such Judgment; and if such Judgment shall after be reversed, the Plaintiff shall be restored to what he hath lost by such Judgment.

CXL. All Process for urgent and weighty Causes shall be directed into *Wales* by the Chancellor of *England*, or any of the

the King's Council, as heretofore hath been used, notwithstanding this Act.

CXLI. The Town of *Bewdly* in the Parish of *Ribsford* in *Com. Wigorn*, is made parcel of the County of *Wigorn*, and united to the Hundred of *Dodingtree* in that County; saving to the Burgeſſs and Inhabitants of *Bewdly* their ancient Liberties and Franchiſes.

CXLII. *Llantiffan*, *Uſterlois*, and *Langham*, with their Members, are united to the County of *Caermarthen*, and made parcel of the Hundred of *Derreis* in that County.

CXLIII. The Shire-Court of the County of *Radnor* ſhall be holden one time at *New-Radnor*, and another time at *Preſton*, *alternis vicibus*, and never at *Rother-Gwy*, notwithstanding the Statute of 27 H. 8. 26.

CXLIV. The King's Farmer of the Subſidy and Aulnage of Woollen-cloths in the County of *Monmouth*, and the other twelve Counties of *Wales*, ſhall take for ſealing ſuch Cloths as followeth: viz. for every whole piece of Frize 1 d. a half-piece *ob.* a piece of Cotton or Lining (24 yards and under) *ob.* a piece of the ſame (above 24 yards) 1 d. a Broad-cloth 1 d. a piece of Kerſey (18 yards or above) 1 d. and for a piece of Kerſey (under 18 yards) *ob.* Howbeit this ſhall not extend to Cloth made in private Houſes, and not put to Sale, but to their Servants,

CXLV. The Aulnager in *Wales* ſhall be bound and ſubject to the Laws and Cuſtoms of *England* in like caſe provided.

CXLVI. The Town of *Haverford-weſt* is made a County of it ſelf, whoſe Juſtice ſhall be the Juſtice of the County of *Pembroke*, and the Judicial See of *Pembrokeshire* ſhall be alſo uſed there, with divers other Privileges: For which ſee the Statute at large. Howbeit, this Article was but to continue in force during the King's pleaſure.

CXLVII. This Act ſhall not be prejudicial to any Man's Inheritance, nor to any of the King's Officers for their Offices or Fees.

CXLVIII. No Land in *Wales* ſhall be Gavelkind, but deſcendible according to the Courſe of Common Law.

CXLIX. All Liberties of the Dutchy of *Lancaster* ſhall continue as they were before the making of this Act.

CL. Stat. 1 & 2 P. M. 15. As well Spiritual Lords Marchers and their Succeſſors, as the Heirs and Succeſſors of Temporal Lords Marchers, now being, or which ſhall hereafter be Lords Marchers of Lordſhips Royal in *Wales*, ſhall have and enjoy the one half of every Forfeiture of every common Mainpriſe, Recognizance for the year, or Appearance, forfeited by their Tenants inhabiting within any of their Lordſhips Marchers or Lordſhips Royal, to be paid the ſame by the Sheriff of the County for the time being, as the Lay or Temporal

ral Lords Marchers have or ought to have) been paid the same by force of the Statute of 27 H. 8. 26. And also all such Mises, Profits and Liberties as the Lords Marchers Spiritual and Temporal have respectively used in time past to enjoy, before the making of the said Statute.

CLI. Stat. 18 El. 8. The Queen and her Heirs and Successors may (at her and their pleasure) name and appoint two or more Persons learned in the Law, to be Justices in each of the Circuits in *Wales* which had but one Justice before, or may grant Commissions of Association to such Person or Persons to be associate to the Justice or Justices of the said Circuits, who shall have like authority and power as the one Justice had by the Statute of 34 & 35 H. 8. 26.

CLII. Stat. 27 El. 9. All Fines and Recoveries taken or suffered in the Courts of Assizes or Sessions of the 12 Shires of *Wales*, the Town and County of *Haverford-west*, and the Counties Palatines of *Chester*, *Lancaster* and *Duresm*, and in every of them, and all Writs, Returns, Warrants and other Proceedings concerning the same, now remaining, or which hereafter shall remain in the said Courts or Sessions, or in any of them, or in the Custody of any of the Officers there, may (upon the request and at the election of any Person) be inrolled in Rolls of Parchment, by such Persons and for such Considerations as are hereafter expressed; and such Inrolment shall be as good in force of Law (for so much as shall be so inrolled) as the same so remaining are or ought to be.

CLIII. No Fines, Proclamations, or Recoveries there, shall be reversible by Writ of Error for false Latin, Razure, Interlining, Misentring of any Warrant of Attorney, or of any Proclamation, Misreturning or not Returning of the Sheriff, or other want of Form in words, and not in matter of Substance.

CLIV. The Person there that shall hereafter take the Acknowledgment of any Fine, or any Warrant of Attorney, of any Tenant of Vouchee for suffering any Recovery, or shall certify them or any of them, shall with the Certificate of the Concord or Warrant of Attorney, certify also the day and year wherein the same was acknowledged; but shall not be enforced to certify them, except within the year next after they were taken: And no Clerk or Officer there shall receive any Writ of Covenant, Writ of Entry, or other Writ whereupon any Fine or Recovery is to pass, unless the day of Acknowledgment thereof shall appear by such Certificate, in pain of 40 s.

CLV. No Attornment upon any Fine there, shall be entred upon Record, except the Party mentioned to Attorn have first appeared in Court in Person or by Attorney, warranted by the Hand of one of the Justices of the same Court, upon any Writ of *Quid juris clamat, Quem redditum reddit, or, Per qua servitia,*

servitia, as the cause requireth: And every Attornment otherwise entred shall be void, without Writ of Error, or other means to avoid it.

CLVI. There shall be in the said places an Office of Inrolments erected to continue for ever, for the inrolling of the Fines and Recoveries, as aforesaid; and the Justices there shall (within their several limits) enjoy the said Office and the Disposition thereof, and carefully see to the execution of the same, by the due examination of such Inrolments, and for their pains and care therein, shall have certain Fees allowed them. *For which see the Statute at large.*

CLVII. Unto every Roll by any Justice so examined he is to subscribe his hand, in pain of 40 s. And any of the said Justices may take order in all things needful for the said Inrolment, and upon examination may in the said Courts assess such Fines and Amerciaments on any Clerk, Sheriff, Attornies, or other Person, for Misprision, Contempt or Negligence, in any thing concerning such Fines and Recoveries, as to them, or any one of them, shall seem fit: Which Fines and Amerciaments shall be estreated as others use to be out of the said Courts.

CLVIII. The Exemplification of any such Record of any Fine or Recovery thereof, or any part thereof, (in the said twelve Shires of *Wales*, and the Town of *Haverford west*) under the Judicial Seal, or (in the said Counties Palatine) under the Seal of the respective County Palatine, shall be of as good force as the original Record it self.

CLIX. The Justices Clerks may write out and inroll the said Records, but shall not carry them out of their Offices.

CLX. No Fine or Recovery heretofore levied or suffered, shall after Exemplification be amended.

CLXI. This Act shall not prejudice the Heirs of Sir *Edward Gray* Knight, Lord *Powis*, or Sir *Edward Herbert* Knight, his Heirs or Assigns, or *Henry Vernor* or *John Vernor* Esquires, their Heirs or Assigns, concerning any Fine levied, or Recovery suffered, by or against the said Lord *Powis*, of Lands in the County of *Montgomery*; nor to *Henry* now Earl of *Kent*, concerning any Lands in *Wales* whereunto he pretends title,

Walsingham.

I. Stat. 35 H. 8. 13. The Demefn Lands in *Walsingham*, belonging to the late Priory there, may be let by Copy, and shall hereafter be Copyholds.

Wapping-Marsh.

I. Stat. 35 H. 8. 9. An Act for the Partition of *Wapping-Marsh*.

Wards.

I. *Marlb. 17. 52 H. 3* Guardians in Soccage shall make no Waste, Sale or Destruction of the Heirs Inheritance, but safely keep the same to the use of the Heir; and when he cometh to age shall answer him the Issues thereof by lawful account, saving their reasonable costs: neither shall such Guardian sell the Marriage of such Heir, but to his advantage; and the Kinsfolk that have such Ward, (from the time that Writs of Impleading have not been granted, *which seems to be by Magna Charta 27.*) shall have such Wardship to the Heirs advantage, without making Waste, Sale or Destruction, as aforesaid.

II. *West. 1. 21. 3 E. 1.* Guardians shall keep the Lands of Wards without Destruction, according to *Magna Charta*, so also shall Arch-bishopricks, Bishopricks, Abbacies, Churches, and all Spiritual Dignities, be kept in time of Vacation.

III. *The Stat. of Wards and Reliefs; 28 E. 1.* The Ward of an Heir that holdeth in Soccage, if the Land descended on the Mother's side, belongs to the next Friend on the Father's side, & *contra*.

Vid. tit. Tenures Sect. 11, 12. For taking away Wardships &c.

Wares.

I. *Stat. 5. El. 7.* None shall bring or cause to be brought into this Realm from beyond Sea any Girdles, Harness for Girdles, Rapiers, Daggers, Knives, Hilt, Pummels, Lockets, Chapes, Dagger-blades, Handles, Scabbards, or Sheaths for Knives, Saddles, Horse-harness, Stirrups, Bits, Gloves, Points, Leather-laces, or Pins, being ready wrought beyond Sea, to be sold, bartered or exchanged in this Realm or *Wales*, in pain to forfeit the same or the value thereof, to be divided betwixt the Queen and the Prosecutor.

Warranty.

I. *Statute of Bigamy, 6. 4 E. 1.* In Deeds containing *Dedi & concessi tale tenementum*, without Homage, or any clause of Warranty, and to be holden of the Donors and their Heirs by a certain Service; in this case the Donors and their Heirs are bound to Warranty: But where the Deed is *Dedi & concessi, &c.* to be holden of the Chief Lord of the Fee, or of other, and not of the Feoffors and their Heirs, reserving no Service, and without Homage and the aforesaid clause; here the

the Feoffors Heirs shall not be bound to Warranty: Howbeit, the Feoffor himself during his life (by force of his own Gift) is bound to Warranty.

II. Stat. of Gloucester, 3. 6 E. 1. Where Tenant by the courtesie aliens his Wife's Land, his Son (having no Assets by descent) shall not be barred to recover the Land by a Writ of *Mortdancestor* of the Seisin of his Mother, albeit his Father's Deed mentioneth, that he and his Heirs shall be bound to Warranty; but in case any Land descend to the Heir of his Father's side, he shall be barred for the value of the Inheritance so descended.

III. Also, if afterwards any Inheritance descend to him by the same Father, the Tenant shall recover against him of the Seisin of his Mother, by a Judicial Writ to be issued out of the Rolls of the Justices before whom the Plea was pleaded, to resummon his Warranty, as hath been heretofore used in cases where the Warrantor pleads *riens per descent*, from him by whose Deed he is vouched.

IV. Likewise the Issue of the Son may recover by Writ of Cousinage, *Ayel* and *Besayel*; neither shall the Heir of the Wife be barred of his Action, after the Death of his Father and Mother, by Writ of Entry, for Land which his Father did alien in the time of his Mother, whereof no Fine is levied in the King's Court.

War.

I. Stat. 1 E. 3. 7. Whereas Commissioners have heretofore prepared Men of Arms, and conveyed them to the King into *Scotland*, *Gascoigne*, and elsewhere at the charge of the Shires, whereby the Commons have been much impoverished; the King wills, that shall be done so no more.

II. Stat. 18 E. 3. 7. Men of Arms, Hoblers and Archers, chosen to go into the King's Service out of *England*, shall be at the King's Wages from the day they depart out of the Counties where they are levied, till their return.

III. Stat. 25 E. 3. Stat. 5. 8. None shall be constrained to find Men of Arms, Hoblers or Archers, but by Tenure of Land, or Grant in Parliament.

IV. Stat. 4 H. 4. 13. The Statutes of 1 E. 3. 7. 18 E. 3. 7. and 25 E. 3. Stat. 5. 8. shall be holden in all points; yet so as Lords and all others that have Lands in *Wales*, or the Marches thereof, or hold of the King by Escuage or other Service, shall in no wise be excused of their Service and Devoirs due to the King for their Lands, Fees, Annuities, Pensions, or other Profits,

V. Stat. II H. 7. 18. Every person in *England* and *Wales*, having any Office, Fee or Annuity of the King's Grant, shall personally attend upon him, when he goes himself in person to the Wars, (unless he have the King's Licence, or be letted upon some just cause well proved) in pain to forfeit such Office, Fee and Annuity. Howbeit this Act shall not extend to any Spiritual person, the Master of the Rolls, or other Officer or Clerk of the *Chancery*, Justices of either Bench, Barons of the Exchequer, or other Officers or Clerks of the said places, the King's Attorney or Solicitor, Serjeants at Law, or any of the King's Officers in *Berwick* or *Carlisle*, or the Clerk of the King's Council. See also another Statute to the like effect for the Forfeiture of Land, made 19 H. 7. 1.

Waste.

I. *Magna Charta*. 4. 9 H. 3. No Waste shall be made by the Guardian in Wards Lands; and if the custody be committed to the Sheriff or any other that is accomptable to the King, and they commit Waste, they shall make recompence; and the Wardship shall be committed to two discreet Men of the Fee, who shall answer for the Issues of the Land to the King or his Assignee.

II. The Committee of the Ward making such Waste shall lose the custody; and then likewise he shall be committed to two discreet Men, who shall be answerable to the King, as aforesaid.

III. *Magna Charta*, 5. 9 H. 3. The Guardian of the Wards Lands shall with the Issues thereof uphold his Houses, Parks, Warrens, Ponds, Mills, and other things pertaining to the said Lands; and shall deliver unto him, at his full age, his Lands stored with Ploughs and other things (at least) as he received them.

IV. The like shall be observed in the Custodies of all Spiritual Dignities, which pertain to the King during their Vacancy: Howbeit, such Custodies ought not to be sold.

V. *Marlb.* 23. 52 H. 3. *pars. inde.* Farmers (during their Terms) shall not make Waste, Sale or Exile, of House, Woods, Men, or any thing else which appertains to the Tenements that they have in Farm, without special Licence had by writing of Covenant, making mention that they may so do, in pain that they (being thereof convict) shall yield full Damage, and be grievously punished by Amerciament.

VI. *Statute of Gloucester*, 5. 6 E. 1. An Action of Waste is maintainable against Tenant by the courtesie, in Dower, for life or years, and the Party attainted thereof shall lose the thing wasted, and recompence thrice so much as such Waste is taxed at.

VII. As

VII. As for Waste done in the time of Wardship, *Magna Charta*, 4. 9 H. 3. (*before* I.) shall be observed; and moreover, the Guardian shall recompence the Heir for the Waste done, if the Wardship lost shall not amount to the Value of the Damages, before the Heirs full age.

VIII. *West.* 2. 14. 13 E. 1. The Processess in an Action of Waste shall be Summons, Attachment and Distress; and if the Defendant appear not upon the Distress, a Writ of Enquiry shall be directed to the Sheriff to enquire of the Waste; upon return whereof, the Court shall proceed to Judgment, according to the Statute of *Gloucester*, cap. 5. *before*.

IX. *West.* 2. 22. 13 E. 1. An Action of Waste shall be maintainable against one Tenant in common against another, of Wood, Turf, Land, Fishing or the like; and when the Cause comes to Judgment, the Defendant shall chuse either to take his Part in a certain Place (to be set out by the Sheriff with a Jury) or to grant to take nothing but as his Pernors do: And if he chuse to take his Part in a Place certain, the Place wasted shall be assigned for his Part. The Writ in this Case is, *Cum A. & B. tenent Boscum pro indiviso, B. fecit vastum, &c.*

X. Statute of Waste, 20 E. 1. An Action of Waste is maintainable by the Heir, for Waste done in his Ancestors time, as well as for that done in his own time.

XI. *Artic. super Chart.* 18. 28 E. 1. An Action of Waste is maintainable against Escheators and Sub-escheators, for Waste by them committed in Wards Lands.

XII. Stat. 11 H. 6. 5. An Action of Waste is maintainable by the Reversioner against Tenant for Life or Years, that first Aliens his Estate to a Stranger, and afterwards (still receiving the Profits thereof) commits Waste. Howbeit, this Statute shall not extend to such Tenants as hold without Impeachment of Waste.

Watches.

I. Stat. 5 H. 4. 3. Watches shall be kept upon the Sea-coasts as they were wont to be; and in that case the Statute of *Winchester* shall be observed: *Which see in Robbery.*

II. In every Commission of Peace hereafter to be made, this Article shall be inserted, *viz.* That the Justices of Peace shall have power in their Sessions to enquire of Watches, and to punish them who shall be found in default, according to the Tenor of the said Statute.

War.

Wax.

* I. Stat. 11 H. 6. 16. No Wax-chandler shall Sell or put to Sale any Candles, or other Wares made of Wax, at a dearer Rate, than that he may have only 4 *d.* in every pound of Wares above the common price of plain Wax, in pain to Forfeit all such Wares put to Sale, and the Value of them Sold, and besides to make Fine to the King.

II. Justices of Peace, Mayors, Bailiffs and Stewards of Franchises, have power to examine and search concerning the Breach of this Law, and also to hear and determin the Offences committed against it.

III. Stat. 23 El. 8. None in mingling or making of Wax shall use or cause to be used any Deceit by mixture or mingling the same with Rosin, Tallow, Turpentine, or other deceitful thing, to the intent to Sell it, or put it to Sale, in pain to Forfeit the same. And if such deceitful Wax happen to be Sold before it be discovered, the Melter or Procurer thereof, shall Forfeit for every pound thereof 2 *s.* to be divided betwixt the Queen and the Party deceived, if he will sue; but if not, then the Prosecutor.

IV. Every Melter and Maker up of unwrought Wax shall have a Stamp or Mark of the breadth of 6 *d.* wherein the two Letters of his Name and Surname shall be graven, and with this shall stamp every such Piece of Wax triangularly in three Places upon the outside of every such Piece; in pain to Forfeit the Value of every Piece Sold or put to Sale not so stamped.

V. None shall melt, mix, work, sell, or put to sale, any wrought Wax, Stuff, or Wares wrought with Wax, but with good and pure Stuff, fit for such Work, and sealed with the Workers Stamp, to the end he may be known; in pain to Forfeit all corrupt Wares otherwise wrought, and so Sold or put to Sale, to be divided, as aforesaid.

VI. None shall Sell or put to Sale any false mingled Wax, in pain to Forfeit the same, to be divided as before.

VII. All Casks filled with Honey shall be by the Filler thereof marked with two Letters, standing for his Name and Surname, each Letter being an Inch and one half in length at least, and burnt upon the Head of each Cask with an hot Iron; in pain to Forfeit 6 *s.* 8 *d.* for every Cask of Honey Sold or put to Sale, and not so marked.

VIII. None shall fill, sell, or put to sale, any Cask of Honey for a Barrel, Kilderkin or Firkin, unless they contain as followeth, viz. The Barrel 32 gallons Wine-measure, the Kilderkin 16, and the Firkin 8. in pain to Forfeit for every half Gallon so lacking 5 *s.* together with the Cask and Honey therein contained, to be divided as before.

IX. This

IX. This Act, as to the making of Wax, shall not extend to any selling the Wax of their own Bees in open Markets, nor to any Servant mingling or corrupting Wax by the command of his Master, so as he will confess them.

X. None shall counterfeit anothers Mark, nor stamp therewith without the Owners consent, in pain to Forfeit for every such Offence 5 s. to be divided as before ; and in case he be not able to pay it, to be set upon the Pillory in the next Market-town to the Place where he offends, and to suffer three Months Imprisonment without Bail.

Wears.

* I. *Magna Charta*, 23. 9 H. 3. All Wears shall be put down by *Tbames* and *Medway*, and throughout all *England*, save only by the Sea-coast.

II. *Stat. de Pannis*, 4. 25 E. 3. All Gorges, Mills, Wears, Stanks, Stakes and Kiddles, set up in the time of E. 1. and since, whereby Ships and Boats are disturbed to pass in Rivers as they were wont, shall be utterly pulled down, never to be renewed : And hereupon Writs shall issue to the Sheriffs of the places where need shall require, to survey and inquire, and thereof to do execution : Justices also shall be thereupon assigned, as shall be needful.

* III. *Stat.* 45 E. 3. 2. The *Stat.* of Cloth, 4. 25 E. 3. shall be put in due execution ; and if any such Annoyance be done, it shall be pulled down by due Process, according to the said Statute.

IV. If any shall repair any such Annoyance, and be thereof attainted, he shall incur the pain of 100 Marks to the King, to be levied by the *Estreets* of the Exchequer. The like Law shall be for annoyance made for enhancing such Wears, Mills, Stanks, Stakes and Kiddles, as by the new levying of them.

V. *Stat.* 1 H. 4. 12. The said *Stat.* of 25 E. 3. 4. and 45 E. 3. 2. shall be put in due execution.

VI. Commissions shall be made to sufficient Men to be Justices in every County where need shall be, to survey, and keep the Waters and great Rivers there, to correct the Defaults, and to put the said Statutes in due execution, as well by their Survey, Advice and Discretion, as by Enquests, both within Franchises and without, as need shall be, and to hear and determin the things aforesaid : Also to survey the Wears, Mills, Stanks, Stakes and Kiddles, levied before the time of E. 1. and to correct, pull down, and amend such of them as they shall find too much enhanced or streightned, saving always a reasonable substance thereof.

VII. If any such Nufances be adjudged and awarded by the said Justices fit to be pulled down and amended, the Owner of the Freehold thereof shall make thereof Execution at his own charge, within half a Year after Notice thereof given to him, in pain of 100 Marks to be paid to the King by Effreats of the Exchequer: And he that shall cause them to be repaired, enhanced or freightned, against the said Judgment, (being thereof convicted) shall also incur the pain of 100 Marks, to be paid, as aforesaid. Howbeit, if any shall find himself grieved by the Execution of this Act, upon complaint he shall be relieved.

VIII. Stat. 4 H. 4. 11. the Stat. of 25 E. 3. 4. 45 E. 3. 2. and 1 H. 4. 12. shall be duly put in execution.

IX. Commissioners shall be awarded to certain Justices and others in every County, where need shall be, to enquire of Offenders against the said Statutes, and to punish them by Fine at their discretion; saving to the King the Penalties comprised in the said Statutes.

X. The Effreats of such Fines shall be delivered by the Justices to the Sheriff by Indenture, who shall thereout pay to every Justice 4 s. for every day that he shall execute such Commission, and the Sheriff is to be allowed it again upon his accompt in the Exchequer.

XI. Stat. 1 H. 5. 2. All the aforesaid Statutes are confirmed, and ordered to be put in due execution.

XII. Stat. 12 E. 4. 7. All the said Statutes are again confirmed; and where by award of any of the said Commissioners assigned (according to the said Statute of 1 H. 4. 12.) it is found that such Wears, Fish-garths, Mills, Mill-dams, Mill-stanks, Locks, Ebbing-wears, Kiddles, Hecks, or Flood-gates, are made, levied, raised, strengthned or enlarged against the said Statute, if the offenders therein, being duly warned thereof by the Sheriff (by *Scire facias*) do not within three Months after such warning, duly reform such default, they shall Forfeit 10 Marks, to be paid as by the said Statute is ordained, and also for every Month after the said three Months that the said default is not reformed, 100 Marks more, to be divided betwixt the King and the Prosecutor: The Heir also, or the Assignee of such Offender shall likewise Forfeit 100 Marks for every Month that he continues such Disturbances, as aforesaid.

Weights and Measures.

I. *Magna Charta*, 25. 9 H. 3. One Measure of Wine shall be throughout the Realm, one Measure of Ale, and one Measure of Corn, viz. the Quarter of *London*; and one Breadth of dyed Cloth, Russet, and Habergeats, viz. two Yards within the Lifts; and it shall be of Weights as it is of Measures.

II. *Missa Danis & Cербистe*, 51 H. 3. By this Statute the Assize of Bread was rated, viz. when a Quarter of Wheat should be sold for 12 d. wastel Bread of a Farthing (*a kind of Bread then in use*) should weigh 6 pounds 16 s. viz. 6 pounds 9 ounces and 12 peny-weight, according to Troy-weight. For at that time a pound of Silver by Troy-weight was a pound Sterling, or 20 s. and a peny now was 3 d. then; and so it continued until H. 6. raised the ounce of Silver (which was before but 20 d. to 30 d. and after that the old peny was valued at three half pence. Afterwards E. 4. raised it to 40 d. then H. 8. to 45 d. and last of all Queen El. to 5 s. at which rate it yet stands. And all this was done by the said Kings and Queens Proclamations, according to the Exigencies of Affairs in the Common wealth at the times when it was so altered.

III. According to the Proportion ordained by this Statute, the ensuing Table is framed for the due Assize of Bread now in use.

A Ta-

A Table of Assize of Bread, according to Troy-weight, having twelve Ounces in the Pound, and twenty Penny-weight in each of these twelve Ounces.

<i>Price of Wheat.</i>		<i>Penny White.</i>			<i>Penny Wheaten.</i>			<i>Penny Household.</i>		
<i>s.</i>	<i>d.</i>	<i>li.</i>	<i>oz.</i>	<i>dr.</i>	<i>li.</i>	<i>oz.</i>	<i>dr.</i>	<i>li.</i>	<i>oz.</i>	<i>dr.</i>
19	6	1	5	7	2	2	0	2	10	19
20	0	1	4	18	2	1	6	2	9	16
20	6	1	4	10	2	0	14	2	9	0
21	0	1	4	2	2	0	2	2	8	4
21	6	1	3	14	1	11	12	2	7	8
22	0	1	3	6	1	11	0	2	6	12
22	6	1	3	0	1	10	10	2	6	0
23	0	1	2	4	1	10	0	2	5	8
23	6	1	2	8	1	9	12	2	4	16
24	0	1	2	2	1	9	2	2	4	4
24	6	1	1	16	1	8	13	2	3	12
25	0	1	1	10	1	8	6	2	3	0
25	6	1	1	5	1	7	18	2	2	10
26	0	1	1	0	1	7	10	2	2	0
26	6	1	0	15	1	7	3	2	1	10
27	0	1	0	10	1	6	16	2	1	1
27	6	1	0	6	1	6	8	2	0	12
28	0	1	0	1	1	6	0	2	0	2
28	6	0	11	17	1	5	15	1	11	14
29	0	0	11	13	1	5	10	1	11	6
29	6	0	11	9	1	5	4	1	10	17
30	0	0	11	5	1	4	18	1	10	10
30	6	0	10	1	1	4	12	1	10	2
31	0	0	10	18	1	4	6	1	9	16
31	6	0	10	14	1	4	1	1	9	8
32	0	0	10	11	1	3	16	1	9	2
32	6	0	10	8	1	3	12	1	8	16
33	0	0	10	5	1	3	6	1	8	10
33	6	0	10	3	1	3	0	1	8	4

Price

Weights and Measures.

687

Price of
Wheat.

Peny
White.

Peny
Wheaten.

Peny
Household.

s. d.

li. oz. dr.

li. oz. dr.

li. oz. dr.

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0 9 2
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0 8 18
0 8 15
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0 8 1
0 7 19
0 7 17
0 7 15
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0 6 19
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Price

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16
10
4

Price

Price of Wheat.	Peny White.	Peny Wheaten.	Peny Household.
s. d.	li. oz. dr.	li. oz. dr.	li. oz. dr.
34 0	0 6 5	0 9 6	1 0 10
34 6	0 6 4	0 9 5	1 0 8
35 0	0 6 3	0 9 4	1 0 6
35 6	0 6 1	0 9 2	1 0 3
36 0	0 6 0	0 9 0	1 0 0
36 6	0 5 10	0 8 18	0 11 18
37 0	0 5 18	0 8 17	0 11 16
37 6	0 5 17	0 8 15	0 11 14
38 0	0 5 16	0 8 14	0 11 11
38 6	0 5 14	0 8 13	0 11 9
39 0	0 5 13	0 8 12	0 11 6
39 6	0 5 12	0 8 10	0 11 4
40 0	0 5 11	0 8 8	0 11 2
40 6	0 5 10	0 8 6	0 11 1

IV. According to the abovesaid Rate (at the time when this Statute was made) a Baker in a Quarter of Wheat (as was then proved by the King's Bakers) might gain 4 d. and the Bran, and two Loaves for Advantage; for three Servants 1 d. ob. for two Lads ob. for Salt ob. for Kneading ob. for Candle q. for Wood 3 d. and for his Boultel ob. in toto 12 d. ob. q. Which being trebled (according to the Rate of Money now) amounts to 3 s. 2 d. q. and may therefore be now conceived fit for the Baker to gain in the uttering of every Quarter of Wheat. Howbeit note, that by the Book of Assize now in use published by Proclamation towards the latter end of the Reign of Queen Elizabeth, Bakers inhabiting Corporate Towns (in regard that they pay Scot and Lot there) are allowed 6 s. in every Quarter of the middle prized Wheat for their charge in Baking; and Country or Foreign Bakers only 4 s. For Example; When the middle price of Wheat is 30 s. the Quarter, for Assize of Town-Bakers, you are to find in the foregoing Table the Assize of Bread answering to 36 s. but for the Assize of Foreign Bakers that of 34 s. And therefore (in that case) the peny white Loaf put to Sale by Town-Bakers ought to weigh nine ounces, eight peny weight; but that uttered by Foreign Bakers, nine ounces nineteen peny weight, as appears in the Table.

V. When a Quarter of Wheat is Sold for 3 s. or 3 s. 4 d. and Barley for 20 d. or 20 s. and Oats for 16 d. the Quarter, Brewers in Cities may afford to sell two gallons of Beer or Ale for 1 d. and out of Cities three gallons for one peny, and when in a Town three

3 gallons may be sold for 1 d. out of a Town 4 gallons may be afforded: And this Assize shall be observed throughout England.

VI. The Assize of Bread shall be rated according to the middle Price of Wheat, and shall not be charged but by 6 d. increasing or decreasing in the sale of a Quarter.

VII. *Stat. de Ponderibus & Mensuris.* An English penny Sterling (being now 3 d.) shall weigh 32 grains of Wheat taken out of the middle of the Ear, and 28 d. do make an ounce, 12 ounces a pound, 8 pounds a gallon, 8 gallons a London bushel, which is the eighth part of a Quarter, *Stat. 31 E. 1. See Rastal Weights, 7, 8.*

VIII. *Stat. of Pillory and Tumbrel, 31 H. 3.* If a Baker or Brewer be convict, not to have observed the Assize; for the first, second and third fault, he shall be amerced; except the Offence be grievous and often, and then shall the Baker to the Pillory, and the Brewer to the Tumbrel, or some other Correction.

IX. Six Men shall be sworn truly to gather all the Measures and Weights of the Town, and of Mills; and upon the Measures and Weights, as also upon every Loaf, shall the name of the Owner be distinctly written. After this, twelve lawful Men shall be sworn to make true answer on the Kings behalf, upon the Articles hereafter following; and the Bailiff shall be commanded to bring the Bakers and Brewers with their Measures, and all things under written.

X. Then first the Jury shall inquire the first, second and third Prices of Wheat sold the last Market day, and also of Barley and Oats; and upon how much increase or decrease of the Price of Wheat, the Baker ought to change the Assize of his Bread, and how much it ought to weigh, according to the present Price of Wheat; and whether the Town have a Pillory of convenient strength.

XI. Again, they shall inquire of the Assize and Price of Wine, and the Vintners names, and how they sell, and whether they utter that which is wholsom for Mans Body; also of the Assize of Ale in the Court of the Town, how it is, and whether it be observed. And if the Brewers be found to have sold contrary to the Assize, they shall be amerced, or else judged to the Tumbrel.

XII. They shall inquire likewise of such as use double or false Weights or Measures; of Butchers and Cooks that sell unwholsom Meat; and of Foresters, which buy any thing before the accustomed time of Market.

XIII. *Stat. de Pistoribus, 31 E. 1.* The Assize or Weight of Wheat shall never be changed, but when there is 6 d. increasing or decreasing in the Price of a Quarter.

XIV. If a Bakers Bread be found a farthing weight lacking in Two shillings six pence, or under, he shall be amerced; and

and if it pass the same number, he shall suffer the Punishment of the Pillory, which shall not be remitted for Gold or Silver; and every Baker shall have a mark of his own Bread.

XV. *According to which proportion, it seems that if a Bakers Bread wants not a peny weight in six ounces, he shall not incur Amerciament.*

XVI. Every Pillory or Stretch-neck must be made of convenient strength, so that Execution may be done upon Offenders without peril of their Bodies.

XVII. The Toll of a Mill shall be taken according to Custom and the Strength of the Water, either to the 20 or 26 Corn; also by a Measure agreeable to the Kings Standard, and by the Rate, and not by Heap or Cantel. And if the Farmers find the Millers their Necessaries, they shall take nothing besides their due Toll, in pain to be grievously amerced.

XVIII. The Assize of Ale shall be assessed, proclaimed and kept, according to the Price of Corn whereof Malt is made; and the Brewer shall not increase more in a gallon, but according to the Rate of 6 *d.* rising or falling in a Quarter of Malt; and if he break the Assize, for the first, second and third time he shall be amerced, but for the fourth he shall incur the Pillory.

XIX. A Butcher that sells Swines Flesh meazled, or dead of the Murrain, shall for the first time be amerced, for the second incur the Pillory, for the third be imprisoned and make Fine, and for the fourth shall forbear the Town: And in this manner shall it be done to all that offend in like case.

XX. The Standard of Bushels, Gallons and Elms, shall be signed with an Iron Seal of the Kings; and no Measure shall be in any Town, unless it do agree with the Kings Measure, and be marked with the Seal of the Shire Town.

XXI. If any do sell or buy with Measures unsealed, and not examined by the Mayor and Bailiffs, he shall be grievously amerced.

XXII. All Measures shall be viewed twice every year; and if any be convict of a double Measure, he shall be imprisoned and grievously punished.

XXIII. The Standard Bushels and Elms shall be in the custody of the Mayor and Bailiffs, and of Six lawful Persons of the Town, being sworn, before whom all Measures shall be sealed; and no Grain shall be sold by the Heap or Cantel, except it be Oats, Malt and Meal.

XXIV. No Forefaller shall be suffered to dwell in any Town; and if any be convict of that Offence, for the first time he shall be amerced, and lose the thing so bought; for the second, shall have Judgment of the Pillory; for the third, shall be imprisoned and make Fine; and for the fourth, shall abjure the Town; and like Judgment also shall be given his Accessaries.

XXV. An

XXV. An Ordinance for Measuring of Land, 34 E. 1. See *the Statute at large*.

XXVI. Stat. 14 E. 3. 12. There shall be one Weight and one Measure through the Realm of *England*; and the Treasurer shall cause to be made certain Standards of Bushels, Gallons and Weights of Brass, and shall send them into every County where such Standards are not already sent; and thereupon shall be assigned two sufficient Persons of every County, (or more, if need be) to survey Weights and Measures according to the Standard, who shall have power to hear, determine and punish all those that shall thereof be found guilty, and to command the Sheriff to imprison them, till they shall make Fine to the King.

XXVII. The said Officers shall every year, the next day after the Feast of *S. Michael*, deliver their Estreats into the Exchequer, and take for their Expences a fourth part of that they can levy, and shall answer the King the other three parts; and the fourth part also of that they cannot levy shall be answered them in the Exchequer, and the other three parts shall be levied for the Kings use.

XXVIII. Stat. 25 E. 3. Stat. 5. 9. Auncel Weight shall be quite put out, and weighing shall be by equal balance, Stat. 34 E. 3. 5.

XXIX. Stat. 25 E. 3. Stat. 5. 10. Every Measure shall be according to the Kings Standard, and shall be striked without heap, saving the Rents of the Lords; and the King shall assign certain Justices in every County to enquire, hear and determine upon the Points aforesaid; and to inflict Punishment according to the Trespas.

XXX. Statutum Stapul. 27 E. 3. 10. There shall be one Weight and one Measure, and none shall use any Deceit in weighing Commodities by an uneven Tongue of the Balance, or by putting to hand, foot, or other touch; on pain to Forfeit the value of the Commodities so weighed, to suffer one years Imprisonment, and to be ransomed at the Kings Will; and the Party grieved shall recover quadruple Damages.

XXXI. There shall be Justices assigned to enquire of such Trespas, and to do right, as well at the Kings Suit as at the Suit of the Party.

XXXII. Stat. 13 R. 2. 9. There shall be one Weight and Measure throughout *England*; and he that shall be convicted to have used any other shall suffer Six Months Imprisonment, and yield double Damages to the Party grieved; except in *Lancashire*.

XXXIII. Stat. 15 R. 2. 4. Eight Bushels of Corn striked shall be accounted a Quarter, as well by Water as by Land; and none shall buy otherwise, on pain to Forfeit the Corn or Malt bought.

XXXIV. Stat. 16 R. 2. 3. All Weights and Measures shall be according to the Standard of the Exchequer : And the Clerk of the Market shall have all his Weights and Measures ready, together with Marks of the Exchequer, and shall carry and bring them with him when he makes essay of Weights and Measures; neither shall he nor any other use any other, upon the pains ordained by former Statutes.

XXXV. Stat. 1 H. 5. 10. No Purveyor of the King, nor any other, shall buy or take any Corn by any other measure than 8 Bushels striked for the Quarter; and payment shall be made in hand for the Carriage.

XXXVI. If any Purveyor offend herein, he shall incur a years Imprisonment, and forfeit 5 l. to the King, and as much to the Party grieved : And nothing shall be taken for the measuring of Corn.

XXXVII. Justices of Peace have power to hear and determine these Offences.

XXXVIII. Stat. 2 H. 6. 11. The Tun of Wine shall contain 252 Gallons *English* Measure, the Pipe 126 Gallons, the Barrel of Herrings or Eels shall contain 30 Gallons, the Butt of Salmon 84 Gallons; and so of other lesser measure after the same rate.

XXXIX. None shall import or make any Vessel contrary to this Act, in pain to forfeit the Commodities therein contained to the Lord of the Town where they are found, whereof the Prosecutor shall have the fourth part.

XL. Justices of Peace, and Mayors and Bailiffs, (having power to inquire of the Peace) have power to hear and determine these Offences.

XLI. Stat. 8 H. 6. 5. Every City, Borough and Town within *England* shall have a common Balance, with common Weights sealed, and according to the Standard of the Exchequer, upon the common Costs of the said City, Borough or Town, in the keeping of the Head Officer or Constable there; in pain that the City for such default shall forfeit 10 l. to the King, the Borough 5 l. and every other Town 40 s.

XLII. At this Balance all the Inhabitants may weigh *gratis*; but a Foreigner shall for every draught under Forty pounds pay a Farthing; for a draught betwixt Forty pound and an hundred, an half-peny; and for a draught betwixt an hundred and a thousand, a peny; whereof the Weight shall be maintained, and the Officers which attend that Service, rewarded at the Discretion of the said Inhabitants.

XLIII. Justices of Peace, Mayors, Bailiffs, and Stewards of Franchises, have power to hear and determine these Offences.

XLIV. Stat. 9 H. 6. 6. The Burgeses of *Dorchester* shall not be disturbed by the Stat. 8 H. 6. 5. to use their weighing within

12 miles

12 miles compass of that Town, so as they use such Weights as in the said Statute are expressed.

XLV. Stat. 9 H. 8. A Wey of Cheese shall contain 32 Cloves, and every Clove 7 pound.

XLVI. Stat. 11 H. 6. 8. The Stat. of 1 H. 5. 10. and 8 H. 6. 5. shall be duly put in Execution.

XLVII. In every City, Borough and Town, there shall be a common Bushel sealed, and according to the Standard, in like manner and pain as in the said Statute of 8 H. 6. 5. is specified for a common Balance.

XLVIII. All Justices of Peace, Mayors and Head Officers, shall have power to hear and determin the Offences committed against the said Statutes by Examination or Inquisition, and as well at the Suit of the King, as of the Party grieved.

XLIX. The Mayor of London, and all other Mayors and Bailiffs, on their Oaths shall be charged to keep and execute all the said Statutes, and shall be accountable in the Exchequer for all Profits and Forfeitures which shall grow due thereupon to the King.

L. Stat. 1 R. 3. 13. The Contents of every Vessel of Wine and Oil; and they shall not be sold until they be gaged by an Officer to be appointed by the King for that purpose. The Measures are these; a Tun of Wine 252 gallons, a Pipe 126, a Tertian 84, a Hoghead 63, a Barrel 31 and an half, and a Rundlet 18 and an half.

LI. Stat. 7 H. 7. 4. (or, according to Rastal, cap. 3.) Measures and Weights of Brass shall be sent to every City and Borough, here to be kept as their Treasure, according to which all Measures and Weights in every County shall be reformed.

LII. The Mayor or Chief Officer of every such place shall have a special Mark wherewith he shall seal the said Measures and Weights; and shall take for sealing of a Bushel, a peny, and of every other Measure an half-peny; for an hundred weight a peny, for half an hundred an half-peny, and for every less weight a farthing.

LIII. If he refuseth or delayeth to seal them, or do any thing contrary to this Act, he shall forfeit 40 s. to be divided betwixt the King and the Party grieved, and to be recovered by Action of Debt, wherein no Wager of Law shall be admitted.

LIV. Justices of Peace have power to hear and determin the said Defaults.

LV. Stat. 11 H. 7. 4. Measures and Weights of Brass shall be sent to Cities and Boroughs there especially named.

LVI. Only Cities, Boroughs and Market-Towns shall be enjoined to have common Balances, Weights and Measures, and all other Towns shall be excused, notwithstanding the Statutes of 8 H. 3. 6. and 11 H. 6. 8. above-mentioned.

LVII. The Mayors and Chief Officers of the said Cities, Boroughs and Market-Towns, which shall have delivered to them such Weights and Measures sealed with the Letter *H.* crowned, (*or with the first letter of the Name of the King of England for the time being*) shall have Authority and Power to sign such Weights and Measures unto any of the Kings Subjects, (duly requiring the same) taking for the Marking of every Bushel only 1 *d.*

LVIII. None shall buy or sell with any other Weights or Measures in any City, Borough or Market-Town, but such as are so marked, nor in any other place with a Bushel which is not so marked.

LIX. Mayors and Chief Officers shall at least once every year view all Measures and Weights within their Jurisdictions, and break or burn them which they find defective, and also inflict Punishment upon the Offenders, viz. for the first Offence 6 *s.* 8 *d.* for the second 13 *s.* 4 *d.* and for the third 20 *s.* and besides adjudge them to the Pillory.

LX. Two Justices of Peace (1 *Quorum*) have Authority, as well by Examination as by Inquiry, to hear and determine the Defaults of Mayors and other Head Officers, and also of Buyers and Sellers contrary to this Act, and to set Fines and Amerciaments upon the Offenders at their Discretion; and the defective Weights and Measures are to be forfeited and burnt.

LXI. Eight Bushels of Corn raised and stricken, shall be accounted a Quarter, 14 pound a Stone of Wooll, and 26 Stone a Sack. Howbeit, this Act shall not extend to any Person selling or buying by Water-measure within Ship-board, whereof every Bushel shall contain five Pecks raised and stricken.

LXII. Within the Cinque-Ports the Lord Warden or his Lieutenant, shall order the Weights and Measures.

LXIII. Stat. 12 *H.* 7. 5. A Bushel shall contain 8 gallons of Wheat, and every gallon 8 pound of Wheat Troy-weight, and every pound 12 ounces, and every ounce 20 Sterlings, (*or Penny-weights*;) every Sterling shall weigh 32 grains of Wheat, that grew in the midst of the Ear of Wheat; and a Standard for the Kings Treasury is to be made according to this Assize.

LXIV. Whereas Weights and Measures sent down to Cities and Boroughs last year by the Statute of 11 *H.* 7. 4. were found defective, others more perfect shall be sent thither at the charge of the said Cities and Towns; according to which all other Weights and Measures shall be regulated, upon the pains in the said Statute contained.

LXV. Stat. 28 *H.* 8. 14. *in fine.* The Statute of 1 *R.* 3. 13. and all other Statutes made for the due gaging and measuring of Wine, Oil, Honey, and other Liquors, shall be duly put in execution.

LXVI. Every

LXVI. Every Gager shall duly Gage all the said Vessels, and mark upon the Head of each of them the true Content thereof, on pain to Forfeit to the Buyer thereof the quadruple value of that it wants, besides Costs of Suit. The Merchant also shall recompence the Buyer what it wants, according to the value of the Vessel bought, on pain to Forfeit to the Buyer the double value of such Vessel sold, together with Costs of Suit.

LXVII. Stat. 22 Car. 2. cap. 8. A Clause in a Statute made in the 17 Car. 1. that such Measure as is commonly called Water-measure shall be used as formerly hath been, shall be repealed as to the measuring Corn, Grain or Salt; and if any sell Corn or Grain, or Salt, by other Bushel or Measure than according to the Standard, and the Bushel stricken even by the brim, and sealed as this Act directs, shall forfeit 40 s. to be levied in such manner, and such Penalties for want of Distress to be inflicted, as by the said Act is directed, by Warrant of a Justice of Peace.

LXVIII. If Head Officers of Cities, Boroughs or Corporations, or Liberties, wilfully suffer any to sell or buy Corn or Grain, or Salt by other Measure, or stricken in other manner, or shall suffer other measure to be used, than this Act directs, or upon complaint of the breach of this Statute, shall not punish and reform the same, upon conviction thereof at the General Sessions of the Peace, shall forfeit Five pounds, one moiety to the Informer, the other to the Poor of the Parish where the Offence is committed, to be levied by Distress and Sale of Goods, and for want thereof by Imprisonment till payment.

LXIX. If the Clerk of the Market of the Kings House within the Verge, or others authorized by Law to mark or seal Measures within their respective Jurisdictions, shall refuse, being required, to seal any Bushel, Half-bushel or Peck duly gaged, they shall forfeit for the first Offence Five pounds, and for every other Ten pounds, to be levied as aforesaid: Or if the said Clerk of the Market take more than the accustomed Fees; or if others take more than one peny for sealing and marking a Bushel, than one half-peny for an Half-bushel or Peck, or than One farthing for any Measure containing one Gallon, Pottle, Quart, Pint, or Half-pint, they shall incur the Penalties contained in the said Stat. of 17 Car. 1.

LXX. At their Charge who shall have the Toll, or Profit of the Market where no Toll is, within any City, Corporation or Market-Town, there shall be before the 29th of September, 1670. one measure of Brass provided, and chained in the publick Market-place, on pain to forfeit Five pounds, to be recovered and levied as by this Act is directed; one moiety to the Poor of the Parish, another to him that will sue for the same.

LXXI. Constables may search and examine if any use other Measures, or strike them in other manner than this Act directs, and if they find any unsealed Measure, may break the same:

And for that and every other Offence against this Act, shall forfeit the Offender at the next Quarter-Sessions.

LXXII. None punished by virtue of this Act, shall be questioned for the same Offence by virtue of any other Act.

LXXIII. None shall take Toll, or any thing in lieu thereof, but according to such proportion as the Measures in this Act appointed bear to the Measures whereby the same hath been usually taken.

LXXIV. Stat. 22 & 23 Car. 2. cap. 12. They that sell or buy Corn or Salt without measuring, being thereto required, or in other manner than by 22 Car. 2. cap. 8. is directed, and that without shaking the Measure by the Buyer, shall forfeit besides the Penalty of the former Act, all the Corn or Salt, or the value thereof, to the Persons complaining.

LXXV. Upon complaint to one or more Justices of the Peace, the Proof shall lie upon the Defendant to make appear by Oath of one or more Witnesses, that they did buy or sell according to this and the said Act: Wherein if he fail, he shall forfeit as by this Act is directed, to be levied by Distress and Sale of Goods under Hand and Seal of one or more Justice before whom such Conviction shall be; which Penalties shall be distributed, one half to the Poor of the Parish where the Offence was committed, the other to the Informer.

LXXVI. In Markets where there is not a Clerk of the Market, the Mayor, &c. or Head Officer, or others having the benefit of such Market, shall seal Measures duly gaged, brought for that purpose, taking no more than by the former Act is appointed.

LXXVII. All they to whom any Salt, Rent-corn, or Tythecorn is due, may take them by the like Measures as they were paid by before the beginning of this Parliament.

White-Ashes.

I. Stat. 2 & 3 E. 6. 26. None shall ship, lade, carry or convey any White-Ashes towards the parts beyond Sea, in pain to forfeit for every Bushel 6 s. 8 d. to be divided betwixt the King and the Prosecutor.

Whitegate.

I. Stat. 33 H. 8. 32. The Church of *Whitegate* in *Cheshire* shall be a Parish-Church, and no part of the Parish of *Over*.

Wild-

Wild-fowl.

I. Stat. 2; H. 8. 11. None shall destroy or take away the Eggs of any Wild-fowl, in pain to forfeit for every Egg of a Crane or Bustard so taken or destroyed 20*d.* of a Bittern, Hern or Shovelard 8*d.* and of a Mallard, Teal and other Wild-fowl 1*d.* to be divided betwixt the King and the Prosecutor: And the Justices of Peace have power to enquire, hear and determin Offences of this kind, as they use to do in cases of Trespas.

Wills.

I. Merton 2. 20 H. 3. Widows may bequeath the Crop of their Ground, as well of their Dowers as other Lands, saving to the Lords of the Fee all such Service as be due for the Dowers of their Tenements.

II. Stat. 32 H. 8. 1. Every Person having Manors, Lands, Tenements or Hereditaments, holden in Socage, or of the nature of Socage-tenure, and not having any such Manors, Lands, &c. holden of the King by Knight-service, Socage-tenure in chief, or of the nature of Socage-tenure in chief, nor of any other Person by Knight-service, shall have power to give, dispose, will and devise, as well by his Last Will and Testament in writing, as otherwise by any Act executed in his Life, all such Manors, Lands, &c. at his pleasure.

III. Every Person having Manors, Lands, &c. holden of the King in Socage, or of the nature of Socage in chief, and having any other Manors, Lands, &c. holden of any other Person in Socage, or of the nature of Socage, and not having any Manors, Lands, &c. holden of the King or any other by Knight-service, shall have power to give, will, dispose and devise, as well by his Last Will and Testament in writing, as otherwise by any Act executed in his Life, all such Manors, Lands, &c. or any of them, at his pleasure.

IV. Howbeit, all such *Primer Seisins*, Reliefs, Fines for Alienation, and all other Rights and Duties for Tenures in Socage, or in the nature of Socage in chief, as have been heretofore used, are saved to the King; and the said Manors, Lands, &c. are to be taken, had and sued out of the King's Hands by the Person or Persons to whom they shall be so disposed, willed or devised, in like manner as hath been used by any Heir or Heirs before the making of this Statute.

V. Every Person having Manors, Lands, &c. of Estate of Inheritance holden of the King in chief, by Knight-service, or of the nature of Knight-service in chief, hath power by his Last Will in writing, or by any other Act executed in his Life,

life, to give, dispose, will or assign two parts thereof in three parts to be divided, or else so much thereof as shall amount to the yearly value of two parts thereof in three parts, to be divided in certainty, and by special Divisions, that it may be known in Severalty, for the Advancement of his Wife, Preferment of his Children, and Payment of his Debts, or otherwise, at his pleasure.

VI. Here also the Custody, Wardship and *Primer seisin*, or any of them, as the case shall require, of as much of such Manors, Lands, &c. as shall amount to the clear yearly value of the third part thereof; as also all Fines for Alienation, upon such Alteration of the Freehold, or Inheritance, are saved to the King.

VII. Every Person having Manors, Lands, &c. of Estate or Inheritance, holden of the King in chief by Knight-service, and having other Manors, Lands, &c. holden of the King, or any thing by Knight-service or otherwise, hath power to give, dispose, will, or assign by Will in writing, or otherwise by Act executed in his Life, two parts thereof in three parts to be divided, or so much thereof as shall amount to the yearly value of two parts thereof, to be severed as aforesaid, for the Advancement of his Wife, Preferment of his Children, and Payment of his Debts, or otherwise at his pleasure.

VIII. Here likewise the Custody, Wardships, *Primer seisin*, and Fines for Alienations, are saved to the King as before.

IX. Every Person having Manors, Lands, &c. of Estate of Inheritance, holden of any other Lord by Knight-service, and other Lands in Socage, or of the nature of Socage, may give, dispose or assure by Will, or otherwise by Act executed in his Life, two parts of the Knight-service-land, or so much thereof as shall amount to the yearly value of two parts, as aforesaid; and also all the Socage-land at his pleasure: Saving to such Lord (for his Custody and Wardship) so much of the Knight-service-land as shall amount to the yearly value of the third part thereof.

X. Every Person having Manors, Lands, &c. holden of the King by Knight-service, and not in Chief, and other Manors, Lands, &c. holden of any other Person in Knight-service, and also other Manors, Lands, &c. holden of any other Person in Socage, or in the nature of Socage, may give, dispose, will, devise and assure, by his Last Will, or otherwise by Act executed in his Life, two parts of the said Knight-service-land, or so much thereof as shall amount to two parts of the yearly value thereof, as aforesaid, and all the Socage-land, at his will and pleasure. Howbeit, here also the Custody and Wardship of so much of the said Knight-service-Manors, Lands, &c. as shall amount to the yearly value of the third part thereof, are saved to the King, and other Lords respectively; and if the
King

King, or other Lord, have not (in this case) a full third part set out for them, they may (respectively) take into their Possession so much of the other two parts as will make it a full third part.

XI. Provided, That all Persons shall sue Liveries for Possessions, Reversions or Remainders, and pay Reliefs and Heriots, as they did before the making of this Act.

XII. Fines for Alienations shall be paid in Chancery upon Writs of Entry in the *Post* for common Recoveries suffered of any Manors, Lands, &c. holden of the King in chief, in like manner as upon Alienations of such Manors, Lands, &c. by Fine or Feoffment. Howbeit, no other Fine shall be paid there for any such Writs, but only such Fines for Alienation.

XIII. Where two or more hold any Manors, Lands, &c. of the King by Knight-service jointly to them and the Heirs of one of them, and he that hath the Inheritance dieth, his Heir being within Age, the King shall have the Ward and Marriage of such Heir, the Life of the Freeholder or Freeholders notwithstanding: Saving to every Woman her Interest of Dower in such Lands to be assigned out of the two parts thereof, severed from the third part, as abovesaid, and not otherwise; and saving also to the King the Reversions of all such Tenants by Joint-tenure and Dower, after the Death of such Tenants, in case they happen to die during the Nonage of the King's Ward.

XIV. Stat. 34 & 35 H. 8. 5. Where the Statute of 32 H. 8. 1. mentioneth Manors, Lands, &c. of Inheritance, it shall be expounded and taken of Estates in Fee-simple.

XV. Every Person having a sole Estate in Fee-simple, or seized in Coparcenary, or in common in Fee-simple, in any Manors, Lands, Tenements, Rents, or other Hereditaments, in Possession, Reversion or Remainder, and having no Manors, Lands, &c. holden of the King, or of any other, by Knight-service, may give, dispose, will or devise to any Person or Persons, (except Bodies Politick and Corporate) by his Last Will and Testament in writing, or by Act executed in his Life, by himself solely, or by himself and others jointly, severally or particularly, or by all those ways, or any of them, as much as in him of Right is, all his said Manors, Lands, Tenements, Rents and Hereditaments, or any of them, or any Rents, Commons, or other Profits out of the same, or any parcel thereof, at his Free will and pleasure.

XVI. Every Person having such an Estate, or seized, as aforesaid, of or in any Manors, Lands, Rents, &c. in Possession, Reversion or Remainder, or of or in any Rents or Services incident to any Reversion or Remainder holden of the King by Knight-service in chief, or of the nature of Knight-service in chief, may give, dispose, will or assign to any Person or Persons, (except Bodies Politick and Corporate) by his Last Will and Testament

Testament in writing, or by any Act executed in his Life, by himself solely, or by himself and others jointly, severally or particularly, or by all those ways, or any of them, as much as in him of right is, two parts, as well of the said Manors, Lands, &c. as of all other Rents and Hereditaments, or of any of them, or any Rents, Commons, Profits or Commodities out of, or to be perceived of the same two parts, or out of any parcel thereof, in three parts to be divided, or as much thereof as shall amount to the yearly value of two parts thereof, in three parts to be divided, (of what Person or Persons soever they be holden) at his Free-will and pleasure.

XVII. Such Wills so declared shall be good for two parts of the said Manors, Lands, &c. although it be made of the whole, or more than the two parts thereof: The said Division to be made by the Devisor or Owner of the said Manors, Lands, &c. by Will in writing, or otherwise in writing; and in default thereof by Commission out of the Court of Wards, upon inquiry of the true value thereof by the Oaths of twelve Men. And upon return thereof in the same Court the Division shall be made by the Master of the Wards, if the said Master and Parties cannot otherwise agree upon the Division; and the Issues and Profits of the two parts shall be restored to them that shall have right thereunto, from the Death of the Owner or Devisor.

XVIII. Every Person being seized solely, in Co-parcenary, or in Common, as aforesaid, of any Manors, Lands, Rents, &c. in Possession, Reversion or Remainder, or of any Rents or Services incident to any Reversion or Remainder, holden of the King by Knights-service, and not in Chief, or of any other Person by Knights-service, may give, dispose, will or devise to any Person, (except to Bodies Politick) by his Last Will and Testament in writing, or by Act executed in his Life, solely or jointly, as aforesaid, two parts thereof, or any Rents, Commons or Profits, to be perceived out of the same two parts, or out of any part thereof, &c. And such Will shall be good for such two parts, albeit it be made of the whole Lands so holden, or of more than the said two parts, and shall be also good for all Lands not holden in Knight-service, and for all Rents, Commons, and other Profits to be perceived out of the same.

XIX. Here also the Division of the third part is to be made as before, where it concerns the King's Interest; but where it concerns other Lords, the Division shall be by Commission out of the Chancery, if such Lords, and the Parties in the mean time cannot agree thereupon.

XX. The savings (in this Act and in that of 3 H. 8. 1.) of Custody, Wardship, Relief and *Primer Seisin* to the King, and of Custody and Wardship to other Lords, shall be expounded

thus : That the King shall have for his full third part such Manors, Lands and Tenements, as shall descend, as well in Fee-tail as in Fee-simple, to the Heir of the Person that made such Will or Disposition, as aforesaid ; and that the Will or Gift of the two parts shall be good in Law, albeit the Will or Gift be made of all the Fee-simple Lands, or the more part thereof. Howbeit, if the King have not a full third part left him, he shall take out of the two parts so much as shall make it up, to be severed by Commission, as aforesaid. And such advantage also is given to other Lords for their third parts ; and the like shall both the King and they do, in case their third parts, or any parcel of them, be evicted from them, or determined.

XXI. A Pardon of Alienation must be sued by those to whom Lands are devised, for which they shall pay a third part of the value of the Lands holden in Chief ; and this Act shall be sufficient warrant for the Lord Chancellor to grant such Pardons under the Great Seal, without farther Suit to be made to the King for the same.

XXII. Wills or Testaments of Manors, Lands, &c. made by Females-Covert, Infants, Ideots, or Persons of *non sane* Memory, shall not be good in Law.

XXIII. If any Person or Persons shall (by Will or Act executed) make any Estate for Years, Life or Lives, with one Remainder over in Fee, or with divers Remainders over for term of Life, Years, or in tail, with a Remainder over in Fee-simple, or any other Estates, Conditions, Mesnalties, Tenures or Conveyances, by Fraud or Covin, to the intent to defraud the King of his Prerogative, *Primer seisin*, Livery, Reliefs, Wardships, Marriages or Rights, or any other Lords of their Wardships, Reliefs, Heriots, or other Profits, and such Estates or other Conveyances, be found by Office to be so made by Covin, Fraud or Deceit ; in this case the King shall enjoy his Prerogative and Profits aforesaid ; according to this and the said former Act, (notwithstanding such Estates or Conveyances) until such Office be annulled, by traverse or otherwise. Also other Lords shall have their remedy in such cases for their Wardships by writ of Right of Ward, and shall distrain, and make Avowry or Conusance, by themselves or their Bailiffs, for their Reliefs, Heriots and other Profits, as if no such Estate had been made. Howbeit, the Right and Title of the Donees, Feoffees, Lessees and Devisees thereof, against the Devisor and his Heirs, after the Intereit of the King and other Lords determined, are saved.

XXIV. Provided, That every Person from whom the King or other Lord shall take any Manors, Lands, &c. for their third part, or to make it up, may have Relief in Chancery against every Person, who shall be entitled (by any such Will or Gift) to the other two parts, to have such Contribution for the same as the Lord Chancellor or Keeper shall think convenient.

Wines.

Wines.

I. Statute of Gloucester, 15. 16 E. 1. The Mayor and Bailiffs (now Sheriffs) of London, before the coming of the Barons, (which should be at their rising after Candlemas-Term, as appears by the 14th Chapter of this Statute, shall enquire of Wine sold against the Assize, and shall present it before them at their coming, and then they shall be amerced, whereas they were wont to tarry until the coming of the Justices. *Obsolete.*

* II. Stat. 4 E. 3. 12. None shall sell Wines but at a reasonable Price, according to the Price at the Ports from whence they come, allowing the Expence of their Carriage to the Places where they are sold. Trial shall be made of such Wines twice a Year, viz. at *Easter* and *Michaelmas*, and Officers, if need require, by the Lords of Towns and their Bailiffs, and likewise by Mayors and Bailiffs; and all corrupt Wines shall be poured out, and the Vessel broken. Also the Chancellor, Treasurer, Justices of the Bench, and Justices of Assize, shall have power to enquire of Mayors, Bailiffs and Ministers of Towns that do not observe this Ordinance, and to punish them as reason requires.

* III. Stat. 27 E. 3. Stat. 1. cap. 5. No English Merchant shall forestal Gascoign Wines, nor buy them of any Gascoign or other, to pay in England, for any greater Price than they are commonly sold at in Gascoign, (because of Pest, peril of the Sea, and by any other colour) in pain of Life and Member, and to forfeit their Wines, Goods and Chattels to the King, and their Lands to the chief Lords. *But here the Felony and Forfeiture of Lands are Repealed by 37 E. 3. 16. Obsolete.*

IV. Cap. 6. Gascoign Merchants, and other Strangers, may bring their Wines to what Port of England they please; so as the King's Butler may make Purveyance for Wines of Aliens, making Payment for them within 40 Days. *Obsolete.*

V. Cap. 7. No English Merchant shall buy Wines of Gascoign before the Vintage, nor then, but at Bourdeaux and Bayon, upon the pain mentioned in the 5th Chapter. *But that as to the Felony and Forfeiture of Lands is Repealed by 37 E. 3. 16. as aforesaid. Obsolete.*

* VI. Stat. 37 E. 3. 16. The Felony and Forfeiture of Lands inflicted by 27 E. 3. 5. & 7. are repealed, and enquiry shall be yearly made within the King's Dominions in Gascoign, of Couchers of England, who lie there to buy Wines. *Obsolete.*

VII. Stat. 38 E. 3. 10. A Confirmation of the Statutes made for Wines. *Obsolete.*

VIII. Stat. 38 E. 3. 11. All Merchants Denizens, that be not Artificers, may go into Gascoign to fetch Wines, and Aliens may bring Wines into this Realm.

IX. Stat.

IX. Stat. 43 E. 3. 2. *English, Irish and Welshmen*, (being not Artificers) may fetch Wine in *Gascoign*, so as they find Sureties to buy 100 Tun of their own Goods, and to bring the same into *England, Ireland or Wales*.

X. Stat. 6 R. 2. Stat. 1. 7. Sweet Wines shall be sold in *England* at the price that *Gascoign* or *Rhenish* Wines are sold for, and not above, on pain to forfeit the same.

XI. Stat. 23 H. 6. 18. No new Impositions shall be laid upon them that buy Wines in *Gascoign* and *Guienne* by any of the King's Officers in those Parts, on pain of 20*l.* and treble Damages. *Obsolete.*

* XII. Stat. 28 H. 8. 14. The Lord Chancellor, Treasurer, President of the Council, Privy Seal, and the two Chief Justices, or five, four, or three of them, have power at their Discretions, to set the Prices of all kinds of Wines, viz. of the Butt, Tun, Pipe, Hogshead, Puncheon, Tierce, Barrel or Rundlet, when they shall be sold in gross; so as they cause the Prices so set to be written, and openly proclaimed in Chancery in the Term-time, or else in the City, Borough or Town, where any such Wines are sold in gross.

XIII. None shall sell Wine otherwise than according to the Prices so set and proclaimed as aforesaid, on pain to forfeit 40*l.* for every Vessel otherwise sold, to be divided (in a Corporation) betwixt the King and the Head Rulers there, but (out of a Corporation) betwixt the King and the Prosecutor.

XIV. Justices of Peace and Head Officers have power to hear and determin the Defaults of all such as sell Wine in gross or by retail, contrary to this Act.

XV. Stat. 37 H. 8. 23. The great Officers appointed by the Statute of 28 H. 8. 14. to set Prices upon Wines, shall so set them between the 20th Day of *November*, and the last Day of *December*, and at no time else; and none that sell Wines either in gross or by retail, shall sell them above those Prices, upon the Penalties in the said Statute of 28 H. 8. contained.

XVI. If any refuse to sell their Wines accordingly; in *London* the Mayor, Recorder, and two ancient Aldermen, being no Vintners, and in other Places the Mayor, Bailiffs, Aldermen, and other Officers, whereof the chief Officer is to be one, may enter the Houses of such Persons, and sell their Wines at the Prices so assessed as aforesaid.

XVII. Stat. 7 E. 6. 5. None shall utter Wine by Retail in any other Places, than in Cities, Boroughs, Port-towns, or Market-towns, or in *Gravesend, Sittingborn, Tuxford* or *Bagshot*, on pain to forfeit 10*l.* for every Day that they sell Wine otherwise.

XVIII. None shall utter Wine by Retail in any City, Borough or Corporation, but by Licence of the most part of the Common Council, Aldermen, Burgeesses or Commonalty there, under

under their Common Seal; nor in any City, Borough, Port-town, or Market-town, nor Corporate, or in *Gravesend, Sittingborn, Tuxford or Bagshot*, without Licence of the Justices of Peace of the County in Sessions under their Seal; in pain to forfeit 5 *l.* for every Day that they sell Wine otherwise: which said Officers, Commonalty and Justices, have power to continue or change such Licences at their Discretions; but shall not licence above two in one place, in pain to forfeit 5 *l.* apiece, except in these hereafter following, in which it shall be lawful to licence more than two, *viz.* in

London	40	Exeter	4	Canterbury	4
Tork	8	Salisbury	3	Ipswich	3
Norwich	4	Gloucester	4	Winchester	3
Westminster	3	Westchester	4	Oxford	3
Bristol	6	Hereford East	3	Cambridge	4
Lincoln	3	Worcester	3	Colchester	3
Hull	4	Southampton	3	Newcastle.	4
Shrewsbury	3				

XIX. None shall sell or utter Wine by Retail to be spent in his or their Mansion-house, or in any other place in their Tenure, by any Colour, Craft or Engine, on pain of 10 *l.*

XX. The abovesaid Forfeiture shall be divided betwixt the King and the Prosecutor.

XXI. Justices of Peace within every County and Corporation in Sessions, Stewards in Leets, and Sheriffs in their Turns, have power to inquire (by the Oaths of twelve Men) of all Offences committed against this Act; in which case the Forfeitures which shall thereupon grow due, shall be divided betwixt the King and the poor of the Town or Place where the Presentment shall be found.

XXII. This Act shall not prejudice the Liberties of either of the Universities, nor charge any Person offending, unless the Suit be prosecuted within a Year.

XXIII. Stat. 12 Car. 2. cap. 25. No Person not authorized as by this Act is appointed, shall utter by Retail any Wines, on pain to forfeit for every such Offence 5 *l.* one moiety to the King, the other moiety to him that will sue for the same.

XXIV. The King may issue out under the Great Seal Commissions to two or more, to licence whom they think fit, to sell Wine by Retail, according to the Directions of this Act. Such Persons so appointed shall be called his Majesty's Agents for granting Licences for the selling and uttering Wine by Retail; and may under their Seal of Office to be appointed by the King, grant such Licence for any term not exceeding 21 Years, if the Person so long live, and for such Rent as they can agree, to be answered half yearly, and no Fine to be taken.

XV. Sac.

XXV. Such Licence shall not be granted but to such as personally use the Trade, or to the Landlord of the House, nor shall be assignable.

XXVI. The King may appoint other Officers to carry on this Service, so as their Salaries, with the Wages of his said Agents, exceed not 6 *d.* in the pound of the Revenue that shall hence arise. Which Revenue, except such Wages, shall be duly paid into the Exchequer, and not charged with any Gift or Pension. The said Agents shall return into the Exchequer every *Mich.* and *Easter* Terms upon Oath, an account of what Licences have been granted, and what Rent reserved; and what is in Arrear, with the Securities of Persons so in Arrear.

XXVII. The Privileges of the Universities saved, and of the Company of Vintners in *London*, and those of other Cities and Towns Corporate, and the Powers and Authorities granted by Queen *Elizabeth* and King *James*, to the Mayor and Burgesses of *St. Albans* in *Hertfordshire*, for licensing three Taverns towards the Maintenance of the Free-School there.

XXVIII. The Officers to be appointed shall take nothing in respect of this Service, but 5 *s.* for a Licence, 4 *d.* for an Acquittance, and 6 *d.* for a Bond, under the pain of 10 *l.* one half to the King, the other to the Prosecutor.

XXIX. All Persons that sell Wines in gross, mingled or abused, shall forfeit 100 *l.* for every Offence; and all selling such Wines by retail 40 *l.* one half to the King, the other to the Informer. No *Spanish* or sweet Wines shall be sold for above 18 *d.* per Quart by retail. No *French* Wines above 8 *d.* No *Rhenish* Wines above 12 *d.* and so proportionably; on pain of 5 *l.* for every quantity so sold; the one moiety to the King the other to him that will sue.

XXX. But the Chancellor of *England*, the Treasurer, President of the Council, Lord Privy Seal, the two Chief Justices, or five, four or three of them, may yearly between the 20th of *November*, and the last of *December*, set the Prices of Wines at higher or lower Rates than as aforesaid: Proclamation whereof to be made in the Chancery in Term-time, or in the City, Borough, or Town Corporate, where such Wines shall be sold; and in default of such setting, the Prices set by this Act shall be observed. *Confirmed 13 Car. 2. cap. 7.*

XXXI. Stat. 15 Car. 2 cap. 14. *James Duke of York*, and the Heirs Male of his Body, shall have all the Powers and Authorities mentioned in 12 Car. 2. cap. 25. to grant Licences to sell Wines by retail, with all the Profits thereof, and that moiety of the Forfeitures, which by the said Act is given to the King: And such Persons as he or his Heirs Males shall appoint, may under such Seal as he or his Heirs Males shall appoint, grant such Licence for any time not exceeding 21 years, if the

Grantees shall so long live, at such Rents, and under such Conditions as they think fit; but shall take no Fines. For which Rent the Duke and his Heirs Males may sue by Bill, Plaint or Action of Debt in his own name in any Court of Record, or in the King's name in the Exchequer; Rents and Arrears, reserved upon Leases already made, shall be paid to the Duke and his Heirs Males.

XXXII. The Privileges of the Company of Vintners London saved, and of the Mayor and Burgeſſes of St. Albans, and of the Universities.

XXXIII. Stat. 22 & 23 Car. 2. cap. 6. The Revenue of Wine-Licences, with all the Profits thereof, and the Powers of granting Licences for retailing Wines, shall be vested in the King, his Heirs and Successors. And in satisfaction thereof the King's Letters Patents, whereby there shall be granted to the Duke of York, and the Heirs Males of his Body, the yearly Sum of 24000 l. out of the King's Revenue of Excise of Beer and Ale, &c. arising out of the Counties of Buckingham, Essex, Kent, Norfolk, Suffolk, Berks, Bedfordshire, Cambridgeshire, Yorkshire, Hertfordshire and Somersetshire, shall be good in Law; *vide plura* in the Stat. at large.

XXXIV. Stat. 1 Jac. 2. cap. 12. The King shall from henceforth stand and be seized of and in the said yearly Rent or Sum of 24000 l. mentioned in the Act next before going, of one Entire and Indefeasible Estate in Fee-simple; the said Act of Parliament notwithstanding.

Witness.

I. Stat. 12 E. 2. 2. When a Deed or other Writing is denied in Court, wherein Witnesses are named, Process shall be awarded to cause them to appear; and if they come not at the great Distress returned, or the return be, that they have nothing, or that they cannot be found, yet the Enquest shall proceed: But if the Witnesses appear at the great Distress, and the Enquest for some cause remain untaken, the Witnesses shall have like day given as is assigned for the taking of the Enquest; when if they appear not, the Issues first returned upon them shall be forfeit; and the taking of the Enquest shall not be deferred because of their absence, neither yet for the absence of Witnesses dwelling in a Franchise where the King's Writ runs not.

II. Stat. 5 Eliz. 9. *pars inde*. None served with Process out of a Court of Record to testify as a Witness (being tendred convenient Charges, and having no reasonable Let) shall therein make default, on pain to forfeit to the Party grieved 10 l. and besides to yield him such farther Recompence as the Judge

Judge of the same Court shall think fit, according to the Damage sustained; which said Summs shall be by him recovered in any Court of Record by Action of Debt, in which no Wager, Effoign, &c. shall be allowed.

 Woods.

* I. Stat. 35 H. 8. 17. In every several Wood, called Copice or Underwood, which shall be felled at 24 years growth or under, there shall be left unfelled for every Acre thereof 12 Standils of Oak; and in case there shall not be so many Oaks, that number shall be made up of Elm, Ash, Asp, or Beech; which Standils or Storers shall not be cut down until they shall bear ten Inches square within three foot of the ground; on pain that every Owner of such Woods shall forfeit for every Standil not so left 3 s. 4 d. and also for every such Standil so left and afterwards cut down, as much: Both which Forfeitures shall be divided between the King and the Prosecutor.

II. Underwoods felled at 14 years growth or under, shall during four years next after the 20th of April after their felling, be preserved from destruction of Cattle; on pain that the Owner thereof shall forfeit for every Rod thereof unfenced, for every Month 3 s. 4 d. And Underwoods above 14 years growth, and under 24, being so felled, shall during 6 years next after the 20th of April after such felling, be so preserved as aforesaid, upon the like pain.

III. None shall convert into Pasture or Tillage any such Underwood or Copice, containing two Acres or above, and being two Furlongs distant from the House of the Owner thereof, or from the House from whence such Wood doth appertain; on pain to forfeit 40 s. for every Acre so converted.

IV. The Owner of Copices above Twenty four years growth shall, at the felling thereof, leave 12 such Standils of Oak, or otherwise of Elm, Ash, Beech or Asp, as aforesaid, on pain to forfeit 6 s. 8 d. for every Standil not so left; and shall not cut them down before they be of two years growth on pain of 6 s. 8 d. for every one so cut down; and farther, shall preserve such Underwood seven years after their felling from the destruction of Cattle by Fencing; on pain to forfeit for every Rod thereof unfenced, for every month 3 s. 4 d.

V. Howbeit, the Owner of such Underwoods may fell such Standils aforesaid for his own use, for Buildings, Repairing, Inclosing and Maintaining of Houses, Orchards or Gardens, or for Failing, or Railing, or Inclosing of Parks, Forests,

Chafes or other Grounds, or for the making or repairing of Water-works, Dams, Bridges, Flood-gates, or other Vessels, notwithstanding this Act.

VI. Where there is such a Wood or Copice wherein others have Common, the Lord (Owner of the Soil) shall not fell or cut down the same, (except to his own use-) before he and the Commoners shall agree in the setting out a fourth part thereof, to be severally inclosed for the Lord's use : And in case they cannot agree thereupon, two Justices of Peace, appointed by the more part of the Justices in Sessions, shall have power to call together twelve of the Commoners and Inhabitants there, and, with the Lords and their consent, to set out the fourth part thereof, to be severally inclosed by the said Lord within one month after, and then to be felled at his pleasure ; and also to be subject to the aforesaid Laws of other Copices, upon such Penalties as aforesaid. Only, if any Beast be suffered to come into such fourth part within Seven years after they are felled, the Owner of such Cattle shall forfeit for every such Beast 4 s. And if the Owner of such Wood or Copice cut down any Trees or Underwoods there, contrary to the form aforesaid, he shall forfeit for every Tree so cut down 6 s. 8 d.

VII. The said Forfeitures are to be recovered in any Court of Record, and to be divided betwixt the King and the Prosecutor.

VIII. Here, during the said 7 years next after felling of such fourth part, the Commoners shall be excluded for commoning therein ; so also shall the Lord be debarred to common in the residue. But after the said 7 years expired, both the Lord and the Commoners may intercommon in the whole, as they did before the division.

IX. Provided, That every one may sell and inclose all such his Copices or Underwoods in waste Grounds as before this time have used to be inclosed, and preserved for the maintenance of Wood and Underwood, notwithstanding this Act.

X. The Commoners also (in case the said Lord do not fell his fourth part within four months after such division) may common in the said part until it be felled.

XI. This Act shall not extend to Underwoods in the Wild of Kent, Surry and Suffex, save only to the common Woods there.

XII. Neither shall it extend to any Timber-trees growing within two miles of the Sea in Cornwall, dead at the top, or taken by the King's Commission : neither shall any Offender be punishable by this Act, unless he be prosecuted within one year after the Offence committed.

XIII. None shall break or destroy any Fence or Hedge made for the saving of any such Woods or Underwoods, in

pain

pain of 10 s. Neither shall any suffer his Swine (of the age of 10 Weeks or above) to go or run in any such Grounds or Woods unringed or unpegged, on pain to forfeit for them 4 d. apiece. Which said forfeitures (in the King's Woods) shall be divided betwixt the King and the Finder; but (in other Woods) betwixt the Owner of the Field and the Prosecutor.

XIV. Underwoods in a Park shall be preserved by fencing only 4 years after the felling thereof.

XV. If such Woods happen to be destroyed by the means of a Stranger, and not by the Owner himself, or by his neglect, the Stranger shall be subject to the Penalties of this Act, and not the Owner.

XVI. Yearling Colts or Calves may be put into such Woods, within two years after the Felling thereof.

XVII. Stat. 1 El. 15. None shall convert or imploy to Coal or other Fuel, for the making of Iron, any Timber-tree, or Trees of Oak, Beech or Ash, of the breadth of a foot square at the Stubs, and growing within 14 miles of the Sea, or of any part of *Thames, Severn, Wye, Humber, Dee, Tine, Tees, Trent*, or other Navigable River, in pain to forfeit 40 s. for every Tree so converted, to be divided betwixt the King and the Prosecutor.

XVIII. This Act shall not extend to *Suffex*, the Wilds of *Kent*, or to the Parishes of *Charlewood, Newdigate* or *Leigh*, in the Wild of *Surry*.

XIX. Stat. 13 El. 25. All Woods or Copices intended by the Stat. of 35 H. 8. 17. to be inclosed, and the Springs thereof preserved, shall be so saved by the space of two years more than in the several Clauses of the said Act is severally limited, according to the age of such Woods felled, upon such pains as in the said Acts are contained; And none shall put any Cattle into any such Copice-Woods from the time of the Fall until the end of 5 years; nor from the end of 5 years, any Cattle but Calves and yearling Colts only, until the end of six years, if the Wood was under 14 years growth at the last Fall, or until the end of 8 years, if it was above 14 years growth. And this Addition shall continue as long in force as the said Statute of 35 H. 8. 17.

XX. Stat. 23 El. 5. None shall convert into Coal or other Fuel, for the making of Iron or Iron-Metal, any Wood or Underwood growing within the compass of 22 miles of *London* or the Suburbs thereof, or of the River of *Thames* from *Dorchester* in *Com. Oxon.* downwards, or within four miles of the Foot of the *Downs*, betwixt *Arundel* and *Pemsey* in *Com. Suffex*, or of *Winchelsey*, or *Rye*, or within two miles of *Pemsey*, or 3 miles of *Hastings*: in pain to forfeit for every Load so converted 50 s. to be divided betwixt the Queen and the Prosecutor.

XXI. This Act shall not extend to any Woods growing in any such parts of the Wilds of *Surry*, *Sussex*, or *Kent*, within 22 miles of *London* or *Thames*, as is distant above 18 miles from *London* or *Thames*.

XXII. No new Iron-Works shall be erected within 22 miles of *London*, 14 miles of *Thames*, or 4 miles of the said *Downs*, *Pemsey*, *Winchelsey*, *Hastings*, or *Rye*, in pain of 100 l. to be employed as aforesaid.

XXIII. This Act shall not extend to the Woods of *Christopher Darrel* Gentleman in *Newdigate*, in the Wild of *Surry*.

XXIV. Stat. 27 *Eliz.* 19. None shall make or set up within the Counties of *Sussex*, *Surry* or *Kent*, any Iron-Mill, Furnace, Finary or Blomary, for the making of Iron or Iron-Metal, other than upon some old Bays or Pens, whereupon such Works have been lately standing, or else upon such Land where such Works may be continually furnished with sufficient supply of the Parties own Woods, growing upon his own Soil, being his in Fee Fee simple, Fee tail, or for Life, without Impeachment of Waste; nor shall convert to Coal or other Fuel, for the making of such Iron or Iron-Metal, any sound Timber-tree of Oak, Ash or Elm, which shall bear a Foot square at the Stub, or any part thereof; on pain to forfeit for every such new Work set up 300 l. and for every Timber-tree so converted 40 s. to be divided betwixt the King and the Prosecutor.

XXV. Howbeit, the Lops and Offal of such Timber-trees may be converted to Coal for the Purposes aforesaid, within the Wilds of *Sussex*, *Surry*, and *Kent*; so as it be not within 18 miles of *London*, 8 miles of *Thames*, 4 miles of *Rye* or *Winchelsey*, 3 miles of *Hastings*, or 4 miles of the Foot of the *Downs*, betwixt *Arundel* and *Pemsey* aforesaid.

XXVI. Stat. 15 *Car.* 2. cap. 2. Constables, Headboroughs, and other Inhabitants in any County, City, or Town-Corporate, &c. may apprehend whom they suspect, having or conveying any Wood, Underwood, Poles or young Trees, Bark or Bait of Trees, or any Gates, Stiles, Posts, Pales, Rails, Hedgewood, Broom or Furze; and by Warrant from a Justice of Peace or any Officer, such Officer may search the Houses and other Places belonging to those they suspect; and where they find any, may Carry Persons suspected for cutting and taking the same, before a Justice of Peace of the County, City or Town-Corporate; where if they give not such account how they came by them as doth satisfy the said Justice, or in convenient time to be set by the Justice, produce not the Party of whom they bought the same, or some Witness to depose upon Oath such sale, shall be deemed as convicted within the meaning of 43 *Eliz.* cap. 7. and be liable to the Punishment therein contained, and such other Punishment

ment as by this Act is appointed, viz. for the first Offence they shall make such recompence, and within such time as the said Justice shall appoint; and pay to the Overseers for the Poor of the Parish where the Offence was committed, such Sum not exceeding 10 s. as the aforesaid Justice shall think meet; and in default thereof be committed to the House of Correction, for any time not exceeding a month, or be whipped; and for the second Offence, shall be sent to the House of Correction a month, and be kept to hard labour; and if convicted of a third Offence, they shall be deemed incorrigible Rogues.

XXVII. If any Justice of Peace, Mayor, Bailiff, or Head Officer, find upon examination upon Oath, that any Person bought such Wood, &c. of one who might justly be suspected to have unlawfully come by the same, and that the same was unlawfully come by, they may award the Party that bought the same to pay the treble value to him from whom the same was unlawfully taken. And in default of present Payment, may levy the same by distress and sale of Goods, and for want of such Distress may commit to Goal at the Party's own charge, for a month.

XXVIII. None shall be questioned upon this Law that hath been punished for the same Offence by any former Law, nor after 6 weeks after the Offence committed.

Vide the Stat. of 43 Eliz. cap. 7. to which this Act refers, tit. Trespass, Sect. VII.

XXIX. Stat. 20 Car. 2. cap. 3. An Act for the increase and preservation of Timber within the Forest of Dean. Vide the Stat. at Large.

Woolle.

I. Stat. 18 E. 3. Stat. 2. 3. Every Man (as well Stranger as other) may buy Woolle as they can agree with the Seller thereof.

II. Statutum Stapul. cap. 12. None shall transport Woolle, Leather, or Wooll-fels, to Berwick, or elsewhere into Scotland; neither shall any sell Wooll, Wooll-fels or Leather, to any Scotch-man, or to any other, to be transported into Scotland; upon the pains contained in the third Article of this Statute: Which see in Merchants.

* III. Stat. 31 E. 3. 2. No Woolle shall be bought by Fraud to abate the price thereof, upon grievous forfeiture; also Balances and Weights for Woolle (viz. of the Sack, Half-sack, and quarter; Pound, Half-pound, and quarter) shall be sent to all the Sheriffs of England, according to which every Person shall make theirs without Fee or Reward; and none shall buy

buy or sell by any other weight, on pain to be fined at the King's Will.

IV. Stat. 31 E. 3. 8. No Buyer of Woolles shall make any other refuse of Woolles than hath been heretofore used, viz. of Cot, Gare, and Villain Fleeces; and every Sack shall contain 16 stone, and the stone 14 pound, according to the Standard of the Exchequer. Also all Woolles, Fells and Leather bought in the Country, shall be brought to the Staple, and there shall remain 15 days at least; and those that cannot be sold in that time, shall be brought to the Ports ordained for the Staple, to be transported beyond Sea, paying the due Customs and Subsidies, viz. for a Sack of Wooll 50 s. for 300 Wooll-fells 50 s. and for a Last of Leather 100 s.

V. No Woolles vendible shall be lodged, shewed or sold within Three miles of the Staple: Howbeit, every one (but a Merchant) may lodge, shew and sell his Woolles (being of his own growing) in his own House, or elsewhere at his pleasure.

VI. Stat. 31 E. 3. 9. The Chancellor and Treasurer, with the Advice of others of the King's Council, shall have power to defer the Transportation of Wooll when they see it needful.

VII. Stat. 34 E. 3. 19. No Custom or Subsidy shall be paid for Canvas to pack Wooll in.

VIII. Stat. 36 E. 3. 11. All Merchants may transport Woolles without restraint; and no Subsidy, or other Charge shall be from henceforth set or granted upon Woolles by Merchants or others, without assent in Parliament.

IX. Stat. 38 E. 3. Stat. 1. 6. A Repeal of the Felony imposed by the Statute of the Staple, cap. 3. 27 E. 3. (which see in Merchants) for transporting of Woolles, &c. by English-men; but the Forfeitures of Lands and Goods shall stand.

X. Stat. 43 E. 3. 1. Whereas the Staple of Woolles, &c. hath been holden at Calais since the First of March Anno 37 E. 3. that Staple shall be wholly put out, and the Staple shall be holden in these places following, viz. at Newcastle, Kingston upon Hull, Saint Botolph, (alias Boston) Yarmouth, Quinborough, Westminster, Chichester, Winchester, Exeter and Bristol; and the Staples of Ireland and Wales shall be kept at the places where they were first ordained. *Obsolete.*

XI. Stat. 45 E. 3. 4. No Imposition or Charge shall be put upon Woolles, Wooll-fells, or Leather, (other than the Custom and Subsidy granted to the King,) without assent of Parliament.

XII. Stat. 23 E. 3. 9. *pars inde.* None shall buy or sell Wooll at more weight than at 14 pounds to the stone, on pain to forfeit the double to the Party grieved, and to make fine to the King.

XIII. None (Alien or Denizen) shall make any other refuse of Wooll, but Cot, Gare or Villain.

XIV. None shall buy Wooll by these words, *Good packing*, or the like, on pain that the Broker shall suffer half a years Imprisonment.

prisonment, and the Buyer shall make fine to the King, and recompence the Party grieved his double Damages; neither shall any cause Woolles to be coquetered but in the Owners name, on pain to Forfeit the same.

XV. Stat. 2 H. 5. Stat. 2. 6. Merchandize of the Staple, viz. Woolles, Fells, Leather, Lead or Tin, shall not be transported beyond Sea without the King's Licence, until they be first brought to the Staple, on pain to Forfeit the same. *Obsolete.*

XVI. Stat. 8 H. 5. 2. Every Merchant-Stranger buying Woolles in *England* to convey them to the West Parts or elsewhere, and not coming to the Staple to Sell them there, shall bring to the Master of the Mint for every Sack, an ounce of Gold Bullion, and for every three Pieces of Tin, another such ounce of Bullion, or the Value in Silver Bullion; on pain to Forfeit such Wooll or Tin, or the Value thereof to the King. *Obs.*

XVII. Stat. 8 H. 6. 22. No Alien shall cause any Woolles (which he intends to convey out of the Realm) to be forced, clacked, or bearded; in pain to Forfeit the same, together with the double Value thereof, and besides to be imprisoned.

XVIII. Every Wooll-packer shall make good and due packing, and neither he nor any other shall make any inwinding within the fleece at the rolling thereof, nor put therein any Locks, Pelt-wooll, Tar, Sand, Earth, Glass or Dirt; on pain that the Party grieved shall have his Action of Trespass and Deceit against such Offender at the Common-Law.

XIX. Stat. 14 H. 6. 5. Woolles and all other Merchandize in Creeks to be transported beyond Sea shall be forfeited, whereof the King shall have one Moiety, and the Finder the other. *Obs.*

* XX. Stat. 23 H. 8. 17. None shall wind any fleece of Wooll not sufficiently rivered or washed, nor wind therein any Clay, Lead, Stones, Sand, Tails, deceitful Locks, Cot, Calls, Comber, Lambs-wooll, or any other thing, whereby the Fleece may be more weighty, to the deceit of the Buyer; in pain that the Seller of any such deceitful Wooll shall Forfeit for every such Fleece 6 d. to be divided betwixt the King and the Finder.

XXI. This Act shall not extend to such Counties where the Inhabitants have not customably used to river or wash their Sheep before they be shorn, nor to any Persons who have used to Sell their Wooll by tale or number of the Fleeces, and not by Weight.

XXII. Stat. 37 H. 8. 15. All Persons are restrained to buy Woolles in *Norfolk*, and divers other Counties there mentioned, except Merchants to convey them to the Staple, or others to convert them into Yarn, Hats, Girdles, or Cloth. *But this Statute is now expired.*

XXIII. Stat. 1 E. 6. 6. Every Person dwelling in *Norfolk*, or *Norwich* may buy Woolles of *Norfolk* growth, as well as they might have done before the Statute of 37 H. 8. 15. so as they sell

sell or retail the same again, in some open Market or Place in *Norfolk* or *Norwich*, to some Person or Persons (dwelling also there) that will there spin the same.

XXIV. Stat. 2 & 3 P. M. 13. Any Inhabitants of *Halifax* may buy Woolle, (otherwise than by ingrossing and forestalling) so as they carry the same to *Halifax*, and there sell them to such poor People of that or other Parishes adjoyning (as to their knowledge) shall work them in Cloth or Yarn; and not to the rich Clothier, nor any other to sell again.

XXV. If the Wooll-driver shall sell his Woolle out of *Halifax*, or if any buy Woolle in *Halifax*, to sell the same unwrought in Yarn or Cloth, every such Offender shall Forfeit the double Value of the Wooll so sold or uttered, whereof the King and Queen is to have the one Moiety, and the Prosecutor the other. And Justices of Peace in Sessions have power to hear and determin these Offences.

XXVI. Stat. 12 Car. 2. cap. 32. None shall export or load on any Carriage, or lay on board any Vessel to export out of *England*, *Wales*, Town of *Berwick*, *Jersey*, *Guernsey*, *Sark* and *Alderney* or *Ireland*, into any Places out of the Places aforesaid, any Sheep, Wooll of the growth of the said Places, Wooll-fells, Mortlings or Shorlings, Yarn made of Wooll, Wooll-flocks, Fullers-earth, or Fullers-clay, on pain to Forfeit the same, and 20 s. for every Sheep, and 3 s. for every pound weight of the other Goods. And the Owners of such Ships knowing such Offence, to Forfeit all their Interest in the said Ships, and Masters and Mariners assisting thereto, all their Goods, and to have Imprisonment for three Months. The one Moiety of which Forfeitures to the King, the other to the Informer suing in any Court of Record, or before the Justices of Assize, or General Quarter Sessions.

XXVII. They that shall transport or cause to be transported any of the goods aforesaid, and be thereof convicted, shall be disabled to require any Debt belonging to them.

XXVIII. Offences against this Act may be determined in the County where committed, or where such Offenders are apprehended.

XXIX. The Offenders shall not be impeached, unless within a Year after the Offence committed.

XXX. Any may seize to their own use and the King's, any of the Goods aforesaid, laid on Board, or packed, or loaded on any Carriage, or laid near any Water to be conveyed into *Scotland*; but such Persons shall not give Evidence against any that shall be questioned by Virtue of this Act.

XXXI. All Vessels whereof any Alien or natural born Subject, not inhabiting in *England*, shall be Owner or Part-Owner, wherein any of the Goods aforesaid shall be shipped contrary to this Act, shall be Forfeit to the King.

XXXII. Lamb-

XXXII. Lamb-skins ready dressed are excepted, and Necessaries for the Ships and Persons therein.

XXXIII. None of the Goods aforesaid shall be transported out of *England, Wales, Town of Berwick, or Ireland*, into *Jersey, Gernsey, Sark, or Alderney*, only Wooll from the Port of *Southampton*, for the use of the Inhabitants of those Isles, and they that Ship such Wooll shall beforehand deliver to the Customer, Controller, Surveyor, or Searcher of the said Port, a Writing under the Seal of the respective Governors of the said Isles, or their Deputies, purporting that such Party is authorized to export so many numbers of Tods, and hath entred into sufficient Bond to his Majesties use for landing them in that Isle. The Wooll so exported not to exceed these quantities, viz. unto *Jersey* 2000 Tods of Unkeambd-wooll, to *Gernsey* 1000, to *Alderney* 200, to *Sark* 100.

XXXIV. The Customer of the Port of *Southampton*, shall keep an account of the Woolle so permitted to be loaden, on pain to Forfeit 100 *l.* to him that will Sue for the same, and to lose his Place. And if any of the Governors aforesaid, or their Deputies, make licence to export more, they shall Forfeit 20 *l.* for every Tod licensed above the Proportions aforesaid.

XXXV. No more than 12 *d.* shall be taken for writing such Licence, and entring a Remembrance of it, on pain of 5 *s.* for every penny taken over, to the Party grieved. *Confirmed 13 Car. 2. cap. 14.*

XXXVI. Stat. 13 & 14 *Car. 2. cap. 18.* If any Persons export out of *England, Wales, or Town of Berwick, or Ireland*, any Sheep or Wooll of the growth of the said Places, or any Wooll-fells, Mortlings, Shorlings, Yarn made of Wooll, Wooll-flocks, Fullers-earth, or Fulling-clay, or shall pack or load upon any Carriage, or lay on Board in any Vessel any such Sheep, Wooll, &c. to export the same, every such Offence shall be judged Felony.

XXXVII. Owners of such Vessels, and their Horses, Carts or Carriages, upon which the Sheep, or other the Goods aforesaid shall be exported, or carried to such intent, knowing thereof, and consenting thereunto, and also Masters and Mariners of such Vessels, wherein any Sheep or other the said Goods shall be so exported or laid on Board to any such intent; and all other Persons whatsoever, knowing thereof, and consenting thereto, shall be adjudged Felons.

XXXVIII. Offences against this Act shall be tried and determined in the County where such Sheep and other the said Goods shall be so packed or laid on Board, or where such Offender shall be apprehended.

XXXIX. Peers of the Realm indicted for any Offence made Felony by this Act, shall be tried by their Peers.

XL. None

XL. None shall be impeached for any Offence made Felony by this Act, unless within a Year after such Offence committed.

XLI. None shall press together with any Screws, Presses or other Engines, into any Sack, Bag, &c. nor shall put or press any Wooll or Yarn made of Wooll into any Cask or Vessel, nor shall lay or cause to be laid near the Shore or Coasts of the Seas, or any Navigable River, or into any House or Place adjoining thereunto, any such Wooll, Wooll-flocks, or Yarn made of Wooll, to export the same, on pain to Forfeit it, or the Value.

XLII. No Tobacco-pipe-clay shall be exported out of *England*, Town of *Berwick*, *Ireland* or *Wales*, under the Penalty of 3 s. for every pound exported contrary to this Act.

XLIII. No Packs, Bags or Casks of Wooll, Wooll-fells, Mortlings, Shorlings, Yarn made of Wooll, Wooll-flocks, or Fullers-earth, Fulling-clay or Tobacco-pipe-clay shall be laid on any Horse, Cart, or other Carriage, or conveyed to or from any Place in *England*, Town of *Berwick*, *Wales* or *Ireland*, but at seasonable Hours, viz. from the 1st of *March* to the 29th of *September* yearly, between the Hours of four in the Morning and eight in the Evening, and from the 29th Day of *September* to the 1st of *March* yearly, between seven in the Morning and five in the Evening, on pain to lose all such Goods, or the Value thereof; the one Moiety of all which Forfeitures mentioned in this Act to be to the use of the King, the other Moiety to the Prosecutor.

XLIV. This Act shall not make void any Penalties or Clauses in the Stat. of 12 Car. 1. cap. 32.

XLIV. Owner of any Vessel, or any Master or Mariners knowing of such Transportation, that within three Months after such knowledge, or after their return to *England*, or *Ireland*, Town of *Berwick*, or *Wales*, shall give the first Information thereof before any of the Barons of the Exchequer of *England* or *Ireland*, or the Head Officer of any Port, where they shall first arrive, upon Oath of the number and quantity of the Goods so transported, and by whom, where, and in what Vessel, and afterwards shall be ready to prove the same, shall not be punished for Felony, but shall be subject to all other Penalties in this Act contained. And all such Transportation or conveying of the Goods aforesaid, is declared to be a common Nuisance.

XLVI. Justices of Assize, Justices of Goal-delivery and Justices of the Peace in their General Quarter-Sessions, may determine the Premises. And all Mayors, and other Head-Officers of Cities, Boroughs and Towns, not having Jurisdiction to try Felony, shall inquire of every Offence within this Act not made Felony.

So much of the aforesaid Act which relates to the making the said Offences Felony, is repealed by Stat. 7 & 8 W. 3.

XLVII. Stat. 13 & 14 Car. 2. cap. 19. An Act against importing Foreign Wooll-cards, Card-wire, &c. *Vid. tit. Merchants and Merchandize, Sect. XCIV.*

Women, Widows, Wives and Maids.

I. Magna Charta, 7. 9 H. 3. A Widow immediately after her Husband's Death shall have her Marriage, and Inheritance, and shall give nothing for her Dower, Marriage, or Inheritance, which her Husband and she held at the day of his Death.

II. Also she shall remain in the chief House of her Husband forty Days after his Death, if the House be not a Castle; within which forty Days her Dower shall be assigned her, if it were not assigned her before.

III. If the House be a Castle, and she depart from thence, then shall a convenient House be forthwith provided for her, where she may conveniently dwell until her Dower be assigned, and in the mean time she shall have reasonable Estovers of the Common: And for her Dower shall be assigned unto her the third Part of all the Land which was her Husband's in his Lifetime, unless she were before endowed of less at the Church-door.

IV. No Widow shall be constrained to marry her self, while she will live without a Husband: Howbeit, she shall find Surety that she shall not marry without the King's Licence and Assent, if she hold of the King, nor without the Assent of the Lord, in case she hold of another.

V. Prerog. Regis. 4. 17 E. 2. The King shall assign Dower to the Widows of his Tenants in chief, albeit the Heir be at age, (if the Widows will:) And such Widows before the Assignment of their Dower shall swear, that they will not marry themselves without the King's Licence, whether the Heirs be of full age or not.

VI. If they marry without Licence, the King shall seize (by way of Distress) the Land they held of him in Dower, until he be satisfied at his own will, so that they shall take nothing of the issues thereof: For by such Distresses they and their Husbands must fine at his will, which in the time of *H. 3.* was estimated one Years value of her Dower.

VII. Women that hold any Inheritance of the King in chief (of what Age soever they be) shall likewise swear not to marry without the King's Licence: And if they do, their Lands shall be seized, as aforesaid, until the King be satisfied at his will.

VIII. Stat.

VIII. Stat. 31 H. 6. 9. Where any Person or Persons take Women by force, or otherwise (by perswasion) get them into their possession, and when they so have them, will not suffer them to go at large, until they have bound themselves by Obligations of Statute Merchant in great Sums of Money to them or others to their use, and many times compel them to be married against their Likings, and levy such Sums upon their Lands: In these cases, the Obligor shall have a Writ out of the Chancery, containing the matter of such evil usage, directed to the Sheriff of the County where such Offence is committed, to make Proclamation in full County, and also in the next County Court after the receipt of the Writ, that the Offender shall appear at a certain Day prefixed in a Writ before the Lord Chancellor, or otherwise before the Justices of the Assize in the County where the Offence is done, or else before some other Person thereunto assigned by the Lord Chancellor; at which Day if the Offender appear, the said Chancellor, Justices, or other Person shall duly examine the Parties upon the Premises: And if it be found that the Obligations were so made, they shall be void; but otherwise they shall stand in force. Also if the Offender appear not, they shall likewise be void, as also all the Proceedings thereupon.

IX. Here if the Sheriff be remiss in the execution of such a Writ, he shall Forfeit 300 l. to be divided betwixt the King and the Party that purchased the same Writ.

X. Stat. 4 & 5 P. M. 8. None shall take or convey, or cause to be taken or conveyed away any Maid, or Woman Child unmarried, being within the Age of 16 Years, out of the Custody, and against the Will of the Father or Mother of such Child, or of the Person to whom the Father of such Child (by his Last Will or other Act in his Life time) hath appointed the Governance of such Child, (except such taking shall be by or for such Person as (without fraud) is Master or Mistress of such Child, or her Guardian in Socage or Chivalry) on pain of two Years Imprisonment without Bail, or else to pay such Fine as shall be assessed by the Queen's Council in the Star-Chamber.

XI. None shall take away and deflower any such Child, or, against the Will of her Father, if he be living, or of her Mother, (having the custody of her, if the Father be dead) contract Matrimony with any such Child, (except by the title of Wardship) on pain to suffer five Years Imprisonment, or else to pay such Fine as shall be assessed by the said Council in the Star-Chamber.

XII. The said Fines shall be divided between the King and the Queen's Majesties, and the Party grieved.

XIII. The

XIII. The said Council of the Star-Chamber and Justices of Assize have power to hear and determin these Offences.

XIV. If any such Child, above the Age of 12 Years, and under the Age of 16 Years, do consent to any such contract of Matrimony, the next of the Kin, to whom her Inheritance should come, shall enjoy it during her Life: But after her decease it shall revert to the Inheritor, other than to him that did so contract Matrimony.

XV. Provided, That this Act shall not be prejudicial to any Custom or Authority concerning Orphans in London, or any other City, Borough or Town.

Worstedes.

I. Stat. 17 R. 2. 3. Merchants and Workers of Cloths, called Single Worstedes, may transport Bolts thereof whither they please, (except to the King's Enemies) paying the Customs and Subsidies due for the same, without paying the Customs of *Calais*; so as under colour thereof they transport no double Worstedes, half-double Worstedes, Worstedes-ray or motley, on pain to Forfeit the same.

* II. Stat. 7 E. 4. 1. The Worsted Weavers in *Norwich* shall yearly upon Monday after *Pentecost*, chuse four of the same Craft to be their Wardens for that City: And likewise those of the County of *Norfolk*, shall then also chuse four of the same Craft there to be their Wardens for the said County; which Wardens shall take their Oaths before the Mayor of *Norwich*, and the Steward of the Dutchy of *Lancaster*, if the Steward be then resident in the said County; otherwise before the Mayor alone.

III. The said Wardens have power, for the Year next ensuing, to survey the Workmanship of the Artificers of that Craft, whether or no they work well, and make their Work of good Stuff, and likewise to make Ordinance for the Amendment of the said Worstedes and Craft: All which Ordinances shall be obeyed and kept by the said Artificers, on pain to be punished by four of the said Wardens either in City or County respectively, (calling to them six other Artificers) at the discretion of the said Mayor and Steward, or one of them.

IV. Also the lengths and breadths of Pieces of Worsted are here set down: For which see the Statute at large.

V. No Lambs Wooll shall be put in Worsted: And the said Wardens have power to seize all such Cloths and Stuffs, being defective.

VI. The Mayor and Steward aforesaid have power to hear and determin all Offences committed against the said Ordinances, and at convenient times to call together the 82 Artificers

ficers to be sworn, to make search of the Stuff and Work wrought and made by the said Wardens; and if they be found defective, either in their Office or Work, to punish them as other Artificers.

VII. The Wardens have also power to make such search in the Counties of *Suffolk* and *Cambridge*, as well as in *Norwich* and *Norfolk*.

VIII. Defective Worstedes shall be Forfeit; viz. (in *Norfolk*) the one half thereof to the Mayor there, or (in Corporations, or other Places) to the chief Officers or Lord of the Manor, and the other half to the said Wardens. And Worsted-weavers shall set their proper Marks woven upon their Stuffs, on pain to Forfeit them to the King.

IX. The said eight Wardens shall yearly, upon Monday next after *Corpus Christi*, assign one, two or more Places in *Norwich*, and as many in *Norfolk*, and certain Days by the Week, to the end that the Worstedes, to be put to Sale that Year may be brought before the said Wardens to be searched. And if they find them well made, they shall set a Mark thereupon without Fee, that the Buyer may know which are well searched, wrought and made of good Stuff: But if they shall find them defective, the said Mayor and Steward, or one of them, shall impose such Correction for such Default as to them shall seem meet. And the Price of every Piece of Worsted sold, not marked, shall be forfeited by the first Seller thereof.

X. All Mayors, Bailiffs, and other Officers, shall be aiding and assistant to the said Wardens in their Search, as often as they shall be required by the said Wardens or any of them, so to do.

XI. Stat. 13 H. 7. 11. Citizens of *Norwich* may take to Apprentice the Son or Daughter of any Person.

XII. Stat. 5 H. 8. 4. None shall dry Calender any Worstedes, on pain to Forfeit for every Piece 5 l. neither shall any wet Calender any Worstedes, unless he has served seven Years as an Apprentice in that Trade, and be approved by the Mayor of *Norwich*, and the two Masters of that Craft in *Norwich* or *Norfolk*, upon the like pain of 5 l. for every Piece calendred contrary to this Act. Which said Forfeitures shall be divided betwixt the King and the said Masters of the Craft of wet Calendring.

XIII. Stat. 14 & 15 H. 8. 3. A long Statute for Worsted-Weavers in *Yarmouth* and *Lynn*: The Election, Oath and Authority of a Warden for *Yarmouth*. Every Person shall make his Worstedes, Says, &c. with his several Marks: The Election, Oath and Authority of a Warden for *Lynn*: Every Worsted-weaver in *Lynn* shall be an *Englishman* born, and shall have his proper Mark: A Warden of *Norwich* or *Norfolk* shall come to *Lynn*, when there is no Warden there, and his Allowance by

by the Day of his Charge in coming thither : What Names or Additions the Parties grieved shall use in their Actions, whereupon the particular Bodies of the Wardens or Inhabitants may be put in Execution : Clothes marked by Wardens of *Lynn* or *Yarmouth* may be lawfully put to sale : What Apprentices Worsted Weavers in *Lynn* and *Yarmouth* may take. This Statute shall not be prejudicial to the Mayor of *Norwich*, or the Wardens there. None shall sheer, dye or calender any Worsted, Says, &c. save only in *Norwich* : Neither shall any such Stuffs be transported before they be shorn, dyed and calendered. See the Statute at large.

XIV. Stat. 25 H. 8. 5. The Statute of 5 H. 8. 4. is made perpetual, and none that dyeth Worsted, Stamins or Says, shall use to calender them, on pain to forfeit for every Piece 40s. to be divided into three parts, whereof the King is to have one, the Mayor of *Norwich* another, and the Prosecutor a third.

XV. Stat. 13 & 14 Car. 2. cap. 5. For regulating the making of *Norwich* Stuffs in *Norwich* and *Norfolk*, there shall be twelve Wardens and thirty Assistants, all Master Weavers in *Norwich* and *Norfolk* ; half of each shall be chosen yearly the next Monday after *Pentecost*, by the Master Weavers, or greater part of them present, of the City of *Norwich*, the other half upon the same Day by the Master Weavers, or greater part present of the County of *Norfolk* ; which Wardens within fourteen Days after notice of their Election, shall take this Oath before the Mayor of the City or his Deputy, and the Under-Steward of the Dutchy of *Lancaster* within the said County, if present, viz.

I A. B. do swear, That I will well, faithfully and honestly perform and discharge the Office of a Warden of the said Trade of Worsted Weavers, according to the best of my Skill, Power and Knowledge.

And the Assistants accordingly for the Execution of that Office of an Assistant. If any Warden refuse to swear, or dye before the end of his Year, the Master Weavers may chuse others.

XVI. The said Wardens and Assistants, or thirteen of them, whereof seven to be Wardens, may meet and consult as often as they think fit, or when it shall be desired by eight of the Assistants, and make Ordinances for the Regulation of the said Stuffs ; and make Seals for Sealing them, (which Ordinances confirmed by the Mayor and two Justices of the Peace of the City, and three others of the County, whereof one to be of the *Quorum*, shall be published four times a Year, at four Assemblies for the said Trade) and may impose Fines for not conforming to such Ordinances, not exceeding 10s. for one Offence.

XVII. The Wardens, &c. of the City shall give personal notice to them of the County, or two of them, when they intend to meet, &c. and set it upon the Door of their Sealing Hall fourteen Days before.

XVIII. Worsted Yarns and other Yarns used by Worsted Weavers, shall be reeled on a Reel of a Yard about, every Reel-staff shall contain 14 Leas, every Lea 40 Threads, 12 Reel-staffs shall make a dozen, and 12 dozen a gross. They that sell or expose to sale the said Yarns made or reeled otherwise, shall forfeit half the value to the use of the Trade, Charges of Suit deducted.

XIX. The Wardens and Assistants, or two of them, may search in publick Places of Sale, and seize defective Yarns, and bring them within 20 Days to a Trial by Jury, which Jury may set Fines on the Yarns, not exceeding half their value, to go to the Poor of the Trade. No Person shall be punished by this and the former Clause for the same Offence.

XX. All Stuffs in which there is Wooll in *Norwich* and *Norfolk*, shall be under the Regulation of the said Warden and Assistants, except such as are under the Regulation of the Wardens and Fellowship of the Mystery of Russel Sattens, Sattens reverses, and Fustians of *Norwich*, making within *Norwich*. All Stuffs under the said Regulation, before they are offered to Sale, shall be brought to Weavers Hall in *Norwich*, to be searched by the Wardens, or two of them, and if found, according to the Ordinances of the Trade, shall be sealed and allowed without paying any thing; if defective, shall be seized and tried by a Jury of twelve Artificers (six of the City, and six of the County) to be impanelled by Precept under Hand and Seal of the Mayor or his Deputy, (the number, in case of failure, to be made up of the Master Weavers of either Place by Precept from the Mayor) who may set a Fine not exceeding the moiety of the value; the Fines to go to the use of the Trade, and the Stuffs to be detained till the Fines be paid; and for want of Payment in forty Days after Trial, to be sold, rendring the Overplus upon demand.

XXI. If any Warden seal Stuffs that shall afterwards be found defective by a Jury of twelve Artificers, to be impanelled before the Mayor or his Deputy, and the Steward of the Dutchy of *Lancaster*, if present, of which six to be of the City, and six of the County; the said Jury may set Fines not exceeding 40 s. for every Stuff upon such Warden. And such Jury may enquire into the Miscarriages of the Wardens and Assistants, and punish them, as they do others: but the Wardens and Assistants shall have double Damages for any unjust Molestation.

XXII. None shall buy Stuffs unsealed, and they in whose Possession any Stuffs unsealed are found, except the first Owner or Maker, shall forfeit for every piece 4 s. and the Maker or Seller, that shall deliver them unsealed, other 4 s. for the use of the Poor of the Trade.

XXIII. Persons

XXIII. Persons convicted, by Confession or Oaths of two Witnesses, before the Mayor or his Deputy, or any Justice of Peace of the City or County, of counterfeiting the said Seal, or Sealing Stuff with a counterfeit Seal, or removing the Seal from one piece to another, shall forfeit 20 l.

XXIV. They that use the said Trade, not having served as Apprentices 7 years, shall forfeit 40 s. for every month, half to the King, and half to the Prosecutor.

XXV. Every Person shall forfeit 3 s. to the Poor of the Trade for every piece by him woven without his proper Mark at the head-end of it.

XXVI. The Wardens and Assistants, or two of them, may search the Houses, &c. of any dealing in the said Stuffs, and of Dyers, Sheermen, Calenders, or other Workmen, and seize defective Stuffs, and bring them to trial as aforesaid.

XXVII. They that employ two Apprentices in the said Trade; shall likewise employ two Journeymen: No Master Weaver shall set on work above two Apprentices, or any Week-boy in a Loom, on pain to forfeit 5 l. for every month.

XXVIII. Persons convicted by Oath of one Witness before the Mayor or his Deputy, or any Justice of Peace of the City or County, of hindring the Wardens or Assistants to execute their Office, shall forfeit 40 s.

XXIX. If any summon'd to appear on any Jury or Trial, refuse, they shall forfeit 5 s. to the Poor of the Trade. All Penalties and Forfeitures appointed to the Poor by this Act, the recovery whereof is not already set forth, shall be levied by Distress and Sale of Goods, by Warrant from the Mayor or his Deputy, or any Justice of Peace of the City or County, or otherwise be recovered by Action of Debt, Bill, Plaint, Indictment, or Information, in any Court of Record.

XXX. Every Weaver that shall set any Loom on work from 15th of *August* to the 15th of *September* yearly, shall forfeit 40 s. for every Loom used within that time.

XXXI. The Wardens shall make a true account at the four Assemblies to be held Quarterly, before the Mayor of the City, and one Justice of Peace of the City, and two of the County, of all Fines and Forfeitures received, and of all Disbursements, touching the said Trade. What remains shall be divided, the one half to be disposed by the Wardens and Assistants of the City, the other by those of the County, for the Poor of the Trade, as the Mayor and Justices shall direct.

XXXII. The Weavers of *Great Yarmouth* and *Lynn*, shall not be compelled to bring their Wares to *Norwich* to be sealed, and shall retain such Liberties and Privileges as are granted to them by any Act of Parliament or Charter.

Wreck.

I. *West. 1. 4. 3 E. 1.* Where a Man, Dog or Cat escape alive out of the Ship, neither the Ship or other Vessel, nor any thing therein, shall be adjudged Wreck, but the Goods shall be saved and kept by the Sheriff, Coroners, or the Kings Bailiffs, and delivered to the Inhabitants of the Town where the Goods are found; so that if any within a year and a day sue for those Goods, and after prove that they were his at the time of the Shipwreck, they shall be restored to him without delay: but if not, they shall be seized by the said Sheriff, Coroners or Bailiffs, for the Kings use, and shall be delivered to the Inhabitants of the Town, who shall answer before the Justices for the Wreck belonging to the King.

II. Also where the Wreck belongeth to another, he shall have it in like manner: And if any be attainted to have done otherwise, he shall suffer Imprisonment, make Fine to the King, and yield Damages also.

III. If a Bailiff do it, and it be disallowed by his Lord, the Bailiff shall answer for it, if he have whereof; but if not, the Lord shall deliver his Bailiffs body to the King.

IV. *Prerog. Reg. 11. 17 E. 2.* The King shall have Wreck of the Sea, Whales and great Sturgeons taken in the Sea, and elsewhere throughout the whole Realm, except in places privileged by the King.

Writs, and Abatements of Writs.

I. *West. 2. 24. 13 E. 1. pars inde.* Where in the Chancery in one case a Writ is found, and in another case, falling under like Law, and requiring like remedy, there is found none, the Clerks of the Chancery shall agree in making the Writ, or the Plaintiffs may adjourn it until the next Parliament; and then the cases being written in which they cannot agree, let them refer themselves to the next Parliament, where (by the consent of Men learned in the Law) a Writ shall be framed; lest the Kings Court should fail to administer Justice to the Complainants.

II. *West. 2. 49. 13 E. 1. pars inde.* Where the Law faileth, lest Suitors should depart from the Kings Court without remedy, Writs shall be provided in their cases.

III. *Stat. 6 R. 2. Stat. 1, 2.* If in Writs of Debt, Accompt, and the like, it shall be declared, that the Contract thereof was made in another County than is contained in the Original Writ, such Writ shall be abated. *Vide Title Arrest, Num. 4.*

Barn.

I. Stat. **N**One shall export any Thrums or Woollen Yarn 8 H. 6. 23. under colour of Thrums, on pain to forfeit the double value thereof.

Barmouth.

I. Stat. 1 Jac. 2. cap. 16. For 14 years, and to the end of next Sessions of Parliament, from the 24th of July next ensuing, there shall be paid by every Master of any Vessel, unloading in the Haven of Great Yarmouth, or in Yarmouth Road, at the time of unloading, for every Chaldron of Coals (*Winchester Measure*) Last of Wheat, Rye, Barley, Malt and other Grain; and for every Wey of Salt, and every Ton of other Merchandizes Fish excepted) such Sum of Money, not exceeding 12 d. as the Mayor, Aldermen, &c. shall from time to time appoint.

II. The said Mayor, Aldermen, &c. may chuse Collectors of the said Money; who shall pay the same to the Chamberlain of the said Burgh.

III. There shall be 8, or any 5 of them, Commissioners appointed to take account of the Receipts and Disbursements of the said Money. Two of whom shall be nominated by the said Mayor, Aldermen, &c. and other two by the Mayor, Aldermen, &c. of *Norwich*, and other two by the Justices of Peace for the County of *Norfolk*, and other two by the Justices of Peace for the County of *Suffolk*, at their respective Quarter-Sessions; which Commissioners, or five of them, may from time to time, call before them all intrusted with the Collection of the said Money, who are hereby required to render them a true account thereof. The said Commissioners may appoint the Monies due upon such account, to be expended towards the uses aforesaid. And the Mayor of the said Burgh shall administer an Oath to the Collectors, for the faithful executing their Office in the Premises.

IV. The Collectors shall be allowed out of the Sums they receive, what the Mayor, Aldermen, &c. shall think fit, not exceeding 2 d. in the pound.

V. The Collectors may at all seasonable times enter into any Vessel within the said Haven and Road, to see what Goods shall be in the same: And if the Money appointed to be paid, as aforesaid, shall not be paid by the Master, &c. the Collectors by Warrant from the Mayor, may distrain such Vessel, and all the Furniture thereof, and keep the same till they be satisfied; and in case of neglect of payment of the said Sums, or any part thereof, within ten days after Distress, the Collectors may sell the Distress, and satisfy themselves for the Duty, and their reasonable Charges, rendering the Overplus.

VI. Provided, That Fish, Oils and Fish-livers, obtained upon any Fishing Voyage, and such Remainder of Salt, Bread, Beer and other Provision as shall be taken into the Vessel for the accomplishing any Fishing Voyage, and not spent therein, shall be exempted from payment of the said Duty.

Explained by Stat. 1 W. & M. cap. 11.

York.

I. Stat. 29 H. 6. 3. All Letters Patents granted to Citizens of York, to be exempted of the Offices of Mayoralty, Sheriffrick, Chamberlain, Collector of Dismes and Quinzims, and Citizens for the Parliament, shall be void; and the Citizen who purchaseth or taketh such Exemption, shall forfeit 40*l.* to the King, and Mayor and Citizens of York.

II. Stat. 34 & 35 H. 8. 10. An Act for making of Coverlets within York, and none shall be made to put to sale in Yorkshire, but only in the Town of York; together with divers other good Provisions touching that Subject. *For which see the Statute at large.*

The Use of the ensuing Table.

M*emorandum*, That the Titles in Black Letters are the General Heads of the Matters you search for.

The Titles in Italick Letters, being under the Black Letter Titles, are other General Heads, wherein more of the Matter contained in the Black Letter Titles may be found.

For Example, If search be made for all Matters relating to *Actions Popular*, first search the General Head *Actions Popular*, then (in the Titles Demurrers *Sec.* 2. Informers *per totum*, Juries 36. Monopolies 5.) under *Actions Popular*.

The Titles in the Roman Letters are not General Heads to be searched for in the Black; but the Matter relating to such Titles are to be found in the Italick Titles under the said Roman.

For Example, If you search for Abjuration, *See Crown Sec.* 70. &c. *Forest Sec.* 10 & 19. and there you will find the Matters relating to *Abjuration*, & *sic de Cateris*.



THE

TABLE.

A.			<i>Discontinuance of Process</i> 4.
A	Bbies, Priories, Hospitals,		<i>Adjournment,</i> 7
	Chapels, and other Houses		<i>Admeasurement of Dowry,</i> ib.
	and Corporations.		<i>Admeasurement of Pasture,</i> 8
	<i>Advowson</i> 7.		<i>Administrators,</i> ib.
	<i>Franchises</i> 31, &c.		<i>Crown</i> 167.
	<i>Monasteries.</i>		<i>Admiralty,</i> 11
	<i>Vacation of Bishopricks.</i>		<i>Administ' de bonis non</i>
Abettors.			<i>admin.</i> 13.
<i>Appeals</i> 5.			<i>Fish</i> 35.
Ability and Honability, 3			<i>Merchants</i> 91.
<i>Cordwainers</i> 77.			<i>Ships</i> 33, 44, &c.
<i>Crown</i> 153, 156.			<i>Ad quod damnum.</i>
<i>King</i> 1, 4.			<i>High-ways</i> 52.
<i>Officers</i> 16.			<i>Mortmain.</i>
<i>Parliament</i> 39, 44.			Abbotson, 11
<i>Service and Sacraments</i> 47.			<i>Incumbent.</i>
<i>Wools</i> 27. <i>Taxes</i> 16.			Affidavit, 12
Abjuration.			Age, 13
<i>Crown</i> 70, &c.			Aid of the King, ib.
<i>Forest</i> 10, 19.			Aid to marry the Daughter, and
Accessory.			to make the Son a Knight.
<i>Appeals</i> 2.			<i>Reasonable Aid.</i>
<i>England and Scotland</i> 5.			<i>Tenure</i> 12.
<i>Trial</i> 13 & 14.			Ayel, Befayel, Cofinage.
Accounts, 4			<i>Cofinage.</i>
<i>Administrators</i> 4.			<i>Damages</i> 3, &c.
<i>Burials</i> 6.			Alehouses, Drunkenness, 14
<i>Customs</i> 5.			<i>Customs</i> 5, 11.
<i>Debt to the King</i> 8, &c.			Ale and Beer.
<i>High-ways</i> 57.			<i>Alehouses.</i>
<i>Receivers.</i>			Alienation without Licence, 17
<i>Sheriffs.</i>			<i>Tenures</i> 7.
Accusations, 5			Aliens, ib.
Actions popular, 6			<i>Ability</i> 2, 3, 4, 5.
<i>Demurrers</i> 2.			<i>Crown</i> 147.
<i>Informers.</i>			<i>Customs</i> 9, 12, 14, 17, 20, &c.
<i>Jurors</i> 36, &c.			<i>Drapery</i> 52, 69.
<i>Monopolies</i> 5.			<i>Englishmen.</i>
Action upon the Case.			<i>Gaging</i> 14.
<i>Process</i> 12.			<i>Hats and Caps</i> 9.
<i>Tithes</i> 2.			<i>Informers</i> 10.
Addition, 7			<i>Ireland</i> 10.

The TABLE.

Linen-cloth 6, &c.
Merchants.
Money 34.
Provision and Præmunire 4, 5.
Ships 64.
Staple.
Tithes 3.
Viduals 6.
Wine 8.
Wools 31.
Allegiance.
Crown 108.
Amendments, 21
Amerciaments, 22
Fines.
Amphill.
Honours 2.
Anniversary Fast, and Anniversary Thanksgiving.
Holy-days and Fasting-days.
London 33.
Annates.
First-fruits.
Apothecaries.
Physicians 26.
Appearance, 22
Essoign 12.
Appeals, 23
Clergy 8.
Demurrers 2.
Essoign 8, 15.
Trial 13.
Appeals to Rome, 24
Apprentice, 25
Aliens 6, 19, &c.
Books 12, 18.
Cordwainers 26.
Corporations 3, 4.
Drapery 168, 195.
Hats and Caps 1, 5, 8.
Labourers.
Norwich 5.
Passage 15, &c.
Poor People 3, 7, 21.
Ships 25, 59.
Silk 2.
Worsted 24.

Appropriations, 25
Approvements, ib.
Marshes 28, 69, &c.
Approvers.
Pardon 11.
Archery.
Play.
Armour and Arms, 27
Crown 145.
Merchants 89, 90.
Musters 1.
Treason 5.
Wales 9.
Arrests, 28
Arrow-heads, ib.
Artificers.
Aliens 2, &c. 19, &c.
Cordwainers 11, 30, 39, 40, 59, 60, 67.
Labourers.
London 26.
Wares.
Assaults, 28
Assets.
Frauds 22.
Assent and Consent.
Service and Sacraments 36.
Affizes, 29
Conusance.
Essoign 4, 12.
Justices of Assize.
Nisi Prius.
Affize of Bread and Drink.
Weights and Measures.
Affize of Darrein Presentment.
Days in Bank.
Assurance Office.
Merchants 77, &c.
Attainder, 32
Attaint, ib.
Age 3.
Days in Bank 14, 22.
Essoign 4.
Limitation 9.
Attorney, 87
Appearance 4.
Attaint 47.

Jeoffail



The TABLE.

Jeoffail 3.
Trespass 4.
Taxes 12.
Attournment.
Error 8.
Auditors.
Account.
Receivers.
Augmentations.
Courts.
Parson, Vicar, &c. 2, &c.
Aulnage and Aulnagers.
Account 5.
Drapery 3, 5, 8, 9, 11, &c. 140,
 141, 202, &c. 290.
Estreats 6.
Wales 144, 145.
Whom? 38
 B.
Badgers.
Corn.
Universities.
Bail.
Felony 23.
Habeas Corpus.
Mainprize.
Bailiffs of Manors, &c.
Account.
Exchequer.
Franchises.
Indictments.
Bailiffs of Cities, Franchises
and Towns.
Corporations.
Franchises.
Towns.
Sheriffs.
Bakers.
Aliens 32.
Weights and Measures.
Ballast.
Havens 6.
Banks, 39
Bankrupts, ib.
Barbers.
Physicians.
Bargain and Sale:

Involments.
Uses.
Bark.
Cordwainers 36, 37.
Barking of Trees.
Burning of Carts, &c.
Barons.
County 2.
Crown 12, 126.
Forest 11, 18.
Barons of Exchequer.
Account 3.
Affidavit 3.
Attorney 8.
Commission.
Customs 39, 49.
Damages 5.
Drapery 21, 43.
Error.
Exchequer.
Executors 9.
Hearth-money 23.
High-ways 26, 31.
Justice 4.
Sheriffs 4, 7, 68.
Staple 27.
Warwick, 43
Butcher 3.
Customs 55.
Wastardy and Wastards, 44
Ability 4.
Poor People 42.
Wattail and Grand Wize, ib.
Dower 5.
Bay-making.
Drapery.
Beau-pleader, 45
Bedford-Level.
Marshes 4, &c.
Beer.
Clapboard.
Beef.
Calves and other Cattle 7, 19
Coopers,
Beggars.
Vagabonds.
Bell-metal.
Brass,

The TABLE

<i>Brass.</i>		<i>Bridges,</i>	52
<i>Bigamy.</i>		<i>High-ways</i> 40.	
<i>Clergy</i> 2, 5, 27.		<i>Borderers.</i>	
<i>Matrimony</i> 6.		<i>England and Scotland.</i>	
<i>Bissexus.</i>		<i>Brokers,</i>	53
<i>Days in Bank.</i>		<i>Usury</i> 11.	
<i>Beer, Ale and Mum,</i>	45	<i>Buckstales.</i>	
<i>Excise.</i>		<i>Forests.</i>	
<i>Bishops and Bishopricks,</i>	ib.	<i>Hunting.</i>	
<i>Ability</i> 4.		<i>Parks.</i>	
<i>Appeals to Rome.</i>		<i>Buggery.</i>	
<i>Appropriations.</i>		<i>Felony</i> 11.	
<i>Books.</i>		<i>Bullion, Plate and Jewels.</i>	
<i>Crown</i> 44, &c. 57.		<i>Gold.</i>	
<i>Debt to the King</i> 12.		<i>Money.</i>	
<i>First-fruits</i> 12.		<i>Bulls from Rome.</i>	
<i>Lease</i> 9.		<i>Dispensations.</i>	
<i>Rome.</i>		<i>Burford.</i>	
<i>Vacations of Bishopricks.</i>		<i>Bridges</i> 1.	
<i>Black-mail.</i>		<i>Burglary.</i>	
<i>Felony</i> 19.		<i>Forfeiture</i> 10.	
<i>Blackney.</i>		<i>Burials,</i>	53
<i>Fish</i> 14, 15.		<i>Crown</i> 138.	
<i>Boats and Boat-men.</i>		<i>Burning of Carts and Wood,</i>	
<i>Passage.</i>		<i>Felony</i> 19.	(55)
<i>Books and Images,</i>	47	<i>Burport.</i>	
<i>Crown</i> 143.		<i>Cables</i> 1.	
<i>Bows and Bow-staves,</i>	48	<i>Butchers,</i>	56
<i>Hunters</i> 13.		<i>Calves</i> 2, 24, 26, 28.	
<i>Plays.</i>		<i>Cordwainers</i> 25.	
<i>Bells, Pewter, Copper, Bell-metal, &c.</i>	49	<i>Victual.</i>	
<i>Bread, Ale and Beer.</i>		<i>Weights.</i>	
<i>Clerk of the Market.</i>		<i>Butler of the King,</i>	56
<i>Weights and Measures.</i>		<i>Butter and Cheese,</i>	ib.
<i>Breakers of Leagues and</i>		<i>Calves, &c.</i> 19, 20.	
<i>Crucis.</i>	51	<i>Corn.</i>	
<i>Brewers.</i>		<i>Buts.</i>	
<i>Alehouses</i> 9.		<i>Plays.</i>	
<i>Aliens</i> 32.		<i>Buying and Selling.</i>	
<i>Coopers.</i>		<i>Corn.</i>	
<i>Excise.</i>		<i>By-Laws.</i>	
<i>Gaging</i> 12.		<i>Drapery</i> 315.	
<i>Weights and Measures.</i>		<i>Silk</i> 7, 8, 9.	
<i>Bribery.</i>		<i>Worsted</i> 16.	
<i>Customs</i> 61.		<i>Buying of Titles.</i>	
<i>Excise</i> 27.		<i>Actions popular</i> 10.	
		<i>Champertry.</i>	

Informers

The TABLE.

Informers 8.
 Buxton.
 Vagabonds 8.
 C.
 Cables, Hallsors & Ropes, 58
 Calves and other Cattle, ib.
 Butchers 4
 Cordwainers 34.
 Felony 27, 29.
 Trade 9, 12.
 Cambridge and Cambridge-
 shire, 62
 Aliens 14, 27, 34.
 Butchers 3.
 Crown 140.
 Caps.
 Hats.
 Captains and Soldiers, 62
 Militia.
 Musters.
 Captives, 67
 Cardiff.
 Bridges 11.
 Cask.
 Clapboard.
 Carlisle.
 Butchers 3.
 Customs 55.
 Carlion.
 Bridges 13.
 Castles, Fortresses, &c. 67
 Cattle.
 Felony 27, &c.
 Foreftallers.
 Horses.
 Certificate.
 Ability 4.
 Bishops 14.
 Butler of the King 2.
 Captains 28, &c.
 Commiffion 5.
 Crown 19.
 Certificate of the cause of At-
 tainder, &c. 67
 Cretiorari.
 Calves 32.
 Excife 14.

Corpus cum caufa.
 High-ways 59, 67.
 Ceflabit, 68
 Contra formam collationis.
 Challenge, 68
 Estates for Lives 1.
 Champerty, 68
 Action popular 7, 10.
 Informers 8.
 Maintenance.
 Nifi prius 9.
 Chancellor.
 Aliens 1, 13.
 Bankrupts 1, 3, 10.
 Books 4, 7.
 Butter 1.
 Chancery.
 Corporation 1.
 Custos Rotulorum.
 Drapery 311.
 Error.
 Execution of Statutes.
 Executors 9.
 Exigent 1, 2.
 First-fruits.
 Fish 13.
 Habeas Corpus 2, 9.
 Hospitals 16.
 Infections.
 Juftice 5.
 Merchants.
 Mortmain.
 Poor 32.
 Sewers.
 Sheriffs 7.
 Staple 32, &c.
 Treafon 1.
 Trial 8.
 Vacations of Bifhopricks.
 Vagabonds 13.
 Wales 93, 140.
 Wines 30.
 Woolls 6.
 Women 8.
 Chancery, &c. 69
 Accufation 10, 11.
 Crown 163.

High-

The TABLE.

<i>High-ways</i> 58.		<i>Heartb-money.</i>	
<i>Merchants</i> 94.		<i>Cinque-Ports.</i>	
<i>Pardon.</i>		<i>Corporations</i> 7.	
<i>Chaplains.</i>		<i>Habeas Corpus</i> 10.	
<i>Residence.</i>		<i>Militia</i> 36.	
<i>Charitable Uses.</i>		<i>Ships</i> 33, 40, 41.	
<i>Hospitals.</i>		<i>Trial</i> 8.	
<i>Chafes.</i>		<i>Weights</i> 62.	
<i>Forests.</i>		<i>Chirographers,</i>	71
<i>Chanteries.</i>		<i>Error</i> 11.	
<i>Monasteries.</i>		<i>Fees</i> 2.	
<i>Cheefe.</i>		<i>Churchyard,</i>	71
<i>Butter.</i>		<i>Mortmain</i> 16.	
<i>Chelsey,</i>	70	<i>Citation,</i>	72
<i>Chepstow.</i>		<i>Clapboard,</i>	ib.
<i>Bridges</i> 16.		<i>Malt</i> 13.	
<i>Chester and Cheshire,</i>	70	<i>Clergy,</i>	73
<i>Avowry</i> 8.		<i>Conjuration,</i>	
<i>Certificate of the, &c.</i> 5.		<i>Fairs and Markets</i> 21.	
<i>Corn</i> 8.		<i>Clerk of Assize.</i> (tander.	
<i>Courts</i> 32.		<i>Certificate of the cause of At-</i>	
<i>Exchequer.</i>		<i>Justices of Assize.</i>	
<i>Exigent</i> 11, &c.		<i>Clerk of the Chancery,</i>	76
<i>Fines</i> 32.		<i>Addition</i> 4.	
<i>High-ways</i> 84.		<i>Clerk of the Crown,</i>	76
<i>Sheriffs</i> 92.		<i>Certificate of the cause of</i>	
<i>Wales</i> 152.		<i>Attainder.</i>	
<i>Chichester.</i>		<i>Clerk of the Estreats.</i>	
<i>County</i> 5.		<i>Estreats.</i>	
<i>Paving</i> 9.		<i>High-ways</i> 32.	
<i>Chimage.</i>		<i>Sheriffs,</i>	
<i>Forests</i> 14.		<i>Clerk of the Market,</i>	76
<i>Churches.</i>		<i>Franchises</i> 23, 36.	
<i>Fighting.</i>		<i>Weights.</i>	
<i>Church-Service.</i>		<i>Clerk of the Peace.</i>	
<i>Crown</i> 44.		<i>Certificate of the cause of Az-</i>	
<i>Service and Sacraments.</i>		<i>Corn</i> 3. (tander.	
<i>Church-wardens.</i>		<i>Custos Rotulorum</i> 3.	
<i>Alshouses.</i>		<i>Fines, Amerciaments</i> 4.	
<i>Burials.</i>		<i>Heartb-money.</i>	
<i>Calves, &c.</i> 7, &c.		<i>Inrolments.</i>	
<i>Captains</i> 22, &c.		<i>Paving</i> 4.	
<i>Clerk of the Market</i> 6.		<i>Clerk of the Recognizances.</i>	
<i>Crown</i> 100, 150.		<i>Fraudulent Conveyances</i> 9, &c.	
<i>High-way.</i>		<i>Recognizance.</i>	
<i>Poor People.</i>		<i>Clerk of the Privy Signet</i>	78
<i>Chimney-money,</i>		<i>and Privy Seal,</i>	Clerk

The T A B L E.

Clerk of the Sewers.
 Sewers.
 Clerk Attaint.
 Certificate of the, &c.
 Clerk convict.
 Clergy.
 Client.
 Attorney.
 Cloths and Clothing.
 Drapery.
 Coals, 78
 Aliens 41.
 Customs 51.
 Fuel.
 London 101, 124, &c.
 Newcastle.
 Wood 17, &c.
 Ships 7.
 Coach-makers.
 Cordwainers 46.
 Coin.
 Money.
 Trade 8.
 Collectors, 79
 Colleges.
 Chelsey.
 Election, Excise 32.
 Patents 18.
 Collusion.
 Admeasurement of Dower.
 Adowson 12.
 Consuſance.
 Commissions and Commis-
 sioners, 80
 Customs 56, 57, 70.
 Discontinuance of Proceſs 3, 5.
 First-fruits.
 Hospitals 16, &c.
 Merchants 77, 96.
 Marshes 29.
 Sewers.
 Wines 24.
 Common.
 Approvements.
 Aſſizes 6, 12.
 Horses.
 Common Place.

Adjournment.
Attaint 47.
 Common-Pleas, 80
 Constable and Marshal 1.
 Common-Prayer.
 Service and Sacraments.
 Concealments.
 Limitation 11.
 Conditions, 80
 Patents 27.
 Confirmation, 80
 Proceſs 18, 19.
 Ministers.
 Coney-skins.
 Merchants 84, &c.
 Conjuratation, &c. 83
 Consecration of Bishops, &c.
 Bishops 16, &c.
 Conspiracies, 83
 Nisi Prius 9.
 Victuals 16.
 Constables of Hundreds, &c.
 Ale-houses.
 Banks 5.
 Bridges 5.
 Calves, &c. 7, &c.
 Captains, &c. 22, &c.
 Conventicles.
 Crown 78, 150.
 Customs 39, 47.
 Drapery 48, 49, 138.
 Feasants 22.
 Hearth-money.
 High-ways.
 Holy-days.
 Horses 14.
 Malt.
 Merchants 4, 92.
 Militia.
 Nonconformists 11.
 Plague, Poor.
 Purveyors.
 Swearing.
 Tobacco.
 Vagabonds.
 Weights and Measures 71.
 Wood. 26.

Con=

The T A B L E.

Constable and Marshal,	84	Forcible Entry	8.
<i>Appeals</i>	9.	<i>Franchises</i>	29.
<i>Exchequer</i>	12.	<i>Hospitals</i>	7, &c.
Consultation.		<i>Labourers.</i>	
<i>Prohibition.</i>		<i>London</i>	7.
Contra formam collation',	84	<i>Merchants</i>	3.
Controllers.		<i>Monopolies</i>	6.
<i>Accompt</i>	5.	<i>Mortmain</i>	18, &c.
Conventicles,	85	<i>Musters</i>	10.
Conscience,	87	<i>Norwich</i>	5, 6.
Co-partners.		<i>Nonconformists.</i>	
<i>Advowson</i>	4, 9.	<i>Oil.</i>	
<i>Partition.</i>		<i>Parliaments.</i>	
Coppholds,	88	<i>Perjury.</i>	
<i>Crown</i>	79.	<i>Town.</i>	
Copper.		Corpus cum causa,	102
<i>Brass.</i>		Coinage, Avel, &c.	103
Cordage.		<i>Damages.</i>	
<i>Cables.</i>		<i>Evidence.</i>	
<i>Linen-cloth</i>	6.	Cottages,	103
Cordwainers, &c.	88	Coverlets.	
Corn and Grain,	97	<i>Norwich.</i>	
<i>Clerk of the Market</i>	5.	Counterfeit Letters,	103
<i>Felony</i>	27.	<i>Sea and Seamen</i>	12.
<i>Forestallers.</i>		Counterpleader.	
<i>Merchants</i>	89.	<i>Advowson</i>	12.
<i>Trade</i>	1, 13, 14.	County and Turn,	104
<i>Weights and Measures</i>	67, 68,	<i>Essoign</i>	3.
Corodies.	674	<i>Sheriffs</i>	49, &c.
<i>Affizes</i>	5.	<i>Wales</i>	143.
Cornwal,	98	Coopers,	105
<i>Fish</i>	48, 51.	Court-Baron.	
<i>Militia</i>	19.	<i>Essoign</i>	3.
Coroner,	100	Courts,	107
<i>Attaint</i>	14, &c.	<i>Crown</i>	158, &c.
<i>Crown</i>	80.	<i>Deceit</i>	1, 2.
<i>Marshalsea</i>	3.	<i>Essoign</i>	3.
<i>Murder.</i>		Coynage.	
<i>Pardon</i>	5.	<i>Money</i>	40, &c.
<i>Parliament</i>	18, &c.	Crossbows and Handguns,	111
<i>Riots. Robberies.</i>		<i>Plays.</i>	
<i>Sheriffs.</i>		Crosses,	112
Corporations,	100	Crown,	ib.
<i>Corn</i>	8.	<i>Ability</i>	2.
<i>Drapery</i>	150, &c. 162, &c.	<i>Approvement</i>	9.
<i>186, &c. 224, &c. 234, 291.</i>		Cui in vita,	134
<i>Irish</i>	30.	Culhamford.	
B		<i>Bridges</i>	

The T A B L E.

Bridges 2.
Cumberland.
Corn 8.
Robberies 19.
Curriers.
Cordwainers.
Customs, Customers and Con-
trollers, 134
Account 5.
Actions popular 7.
Aliens 41, 42, 43.
Beer, Ale and Mum.
Brass 17, &c.
Calves 19, 20, 21, &c.
Cordwainers 2, &c. 70.
Crown 114.
Debt to the King 23.
Horses 2, &c.
Malt 12.
Merchants.
Money 57.
Officers.
Ships.
Staple 5, &c.
Wines.
Wools 7, 8, 11.
Customs and Services.
Tenure.
Customs and Usages, 151
Custos Rotulorum, ib.
Cutting Dams, Heads of Ponds,
Conduits, Pipes, Tongues and
Burning of Carts. (Ears.
Fish 42.
Felony 25.
Cutpurfes.
Clergy 32.

D.

Days Festival.
Holy days.
Days in Bank, 152
Damages and costs, 156
Burials 9.
Butter and Cheese 11.
Calves, &c. 16.
Captains and Soldiers 39.
Customs 41, 75.

Drapery 313.
Excise 13, 30, 49.
Hearth-money 7, 26.
High-ways 44, 55, 67.
Hunters 15.
Militia 33.
Nonconformists 21.
Plays and Games 23.
Tobacco 13.
Damage cleer, 157
Dams.
Cutting Dams.
Darrein Presentment, 158
Advowson.
Affizes 4.
Days in Bank 5, 22.
Essoign 1, 15.
Iustices in Eyre 3.
Debt, 158
Process 3.
Debt to the King, 159
Debt 4.
Distress 2, 11.
England and Scotland 8.
Exchequer.
Protection 2.
Receivers.
Sheriffs 12.
Decies tantum, 162
Declaration, ib.
Dedimus potestatem.
Commissions.
Deeds and Writings, 162
Inrolment.
Deer.
Hunters 11.
Default.
Dower 4.
Delegates.
Rome 4.
Demurrers, 163
Denizens.
Aliens.
Descent.
Ability 2, 3, 5.
Derinue.
Process 3.

Devenerunt;

The T A B L E.

Devenerunt.		Entry.	
Customs 39.		Essoign 1, 13, 15.	
Devifes.		Felony.	
Frauds, &c. 17, 18.		Justices in Eyre.	
Will.		View.	
Devonshire.		Women.	
Drapery.		Drapery, 168	
Fish 48.		Linen Cloth.	
Dying and Dyers.		Customs 16, 29.	
Drapery 70, &c. 108, 212, 229.		Drovers.	
Dilapidations, 163		Calves 27, 28, &c.	
Disceit, ib.		Drunkennes.	
Discontinuance of Right, &c.		Ale-houses 12, &c. 23.	
164.		Dutchy of Lancaster.	
Discontinuance of Process, ib.		Affidavit 1.	
Dismes and Quinzilmes.		Duress, 196	
Account 6.		Felony 19.	
Dispensations, 165		Durham, 196	
Disseisin.		Avowry 3.	
Affizes 2, 3.		Certificate of the, &c.	
Entry. Entry lawful.		Confirmation 15.	
Distresses, 165		Sheriffs 92.	
Avowry 4, 7.		E.	
Debt 1.		Earl Marshal.	
Debt to the King.		Books 7.	
Freehold 1.		East-India Company.	
Mesne.		Bankrupts 41.	
Replevin of Cattle.		Ecclesiastical Jurisdiction, 197	
Sewers 19.		Ability 1, 4.	
Tenure 1.		Administrators.	
Distribution.		Bishop.	
Administrators.		Crown 4, &c.	
Divine Service.		Election 12.	
Appeals to Rome.		Jurisdiction.	
Arrests 2, 3.		Tithes.	
Crown.		Ecclesiastical Causes.	
Divorces.		Crown.	
Appeals to Rome 1.		Ecclesiastical Persons.	
Dogs.		Religious Persons.	
Forests, Hunters.		Edon in Cumberland.	
Dornecks.		Bridges 15.	
Norwich.		Eggs.	
Dober, 167		Feasants 2.	
Havens 14.		Wild-fowl.	
Dower, 167		Egyptians, 197	
Aid to the King 3.		Election, 198	
Days in Bank 3, 4, 11, 18.		Elegit.	
Discontinuance of right of		Execution 1.	
Estate.		Ely.	Horses

The TABLE.

Horses 25.
Embracery.
Execution of Statutes.
Informers 8.
Maintenance 8.
Encumbent.
Parson.
Endictments.
Indictments.
Englishmen, 199
England and Scotland, ib.
Engleschery, 202
Engrossers.
Forestallers.
Enquests.
Furors.
Enrolments.
Inrolments.
Entry and Writs of Entry, 202
Days in Bank 20.
Entry lawful, 202
Entry with force.
Forcible Entry.
Error, 202
Damage 8, 16.
Execution 7, &c.
London 2, &c.
Escape, 205
Exchange, ib.
Custom 2.
Money.
Exchequer, 206
Admeasurement of Pasture.
Common-Pleas 2.
Commissions 2.
Customs 48, 50, 69.
Hearth-money.
Sheriffs 55, &c.
Escheat.
Contra formam Collationis.
Escheatores, 212
Account 5.
Affizes 2.
Commissions 1.
Debt to the King 15.
Exchequer.
Livery.
Sheriffs 13.
Vacation of Bishops 2.

Essoign, 216
Days in Bank.
Estates for Lives, 218
Frauds, &c. 24.
Estovers.
Affizes 5.
Estrepements, 218
Waste.
Estreats, 218
Corn 6.
Exchequer 17.
High-ways 8, 9, 10, 11, 17.
Justices in Eyre.
Justices of Peace 14.
Labourers 36.
Musters 1.
Sewers 40.
Sheriffs 1, 2, 52.
Evidence, 219
Customs 70.
Debt 11, 12.
Fee-farm Rents 14.
Marshes 8.
Parson, Vicar, &c. 4.
Exception, 220
Excester.
Merchants 88.
Exchange.
Eschange.
Excise, 220
Accounts 8.
Beer, Ale, Mum.
Customs 37.
Excise 16.
Exchequer.
Eschequer.
Sheriffs.
Excommunication, 227
Attaint 41.
Crown 135.
Excommunicatio capiendo, 227
Execution, 229
Corpus cum causa.
Debt 2, 3.
Frauds, &c. 22, &c.
Execution of Statutes, 231
Executors, ib.
Administrators.
Courts 22.

The TABLE.

Crown 134, 141.
Debt to the King 2, 21.
Frauds, &c. 16.
Rents.
Exemplifications.
Grants.
Exigent and Outlawry, 233
Addition 1.
Exportation.
Beer, Ale and Mum.
Calves 19.
Drapery 10, 52, 76, 77, 79, 80,
 101, 197, &c.
Merchants 89, 91.
Wools 20, &c.
Ships.
Extent.
Recognizance.
Extortion, 236
Actions popular 7.
Ordinaries.
 F.
Fair Pleader.
Beau-pleader.
Fairs and Markets, 236
Calves 1.
Corn 4.
Mortmain 10.
False Judgment, 238
Falsifying of Recoveries.
Recoveries.
Fasting-days.
Holy-days.
Faulcons.
Hawks.
Fealty.
Homage.
Fees, 239
Attorney 13, 14.
Fee-farm-rents, 239
Feoffment, 242
Felony and Felons, ib.
Amendments 7.
Armour 7.
Captains, &c. 4, 5, 14.
Clergy.
Conjuraton.
England and Scotland.
Escape.

Forfeitures.
Forger of False Deeds 3.
Hawks.
Indictments.
Mainprize.
Marshes 12.
Plague.
Purveyors. 3, 4.
Rape.
Robberies.
Ships 45, 86, 89.
Staple 11, 18.
Trial.
Vagabonds, 5, 16, 17.
Wools 36, 37, &c.
Felts.
Hats.
Fenns.
Approvements 8, &c.
Marshes.
Ferms and Fermors.
Sheep 8.
Waste 5.
Fealants and Partridges, 245
Feather-Beds.
Upholsters.
Fieri facias.
Execution.
Fighting and quarrelling, 248
Finces, ib.
Chester 10, &c.
Chirographer.
Confirmation 14, 20.
Error 3, &c.
Felony 23.
Wales 152, &c.
Fines, Amerciaments, Forfei-
tures, 253
Fines to the King, 254
Finers.
Gold and Silver.
First-fruits and Tenths, 255
Courts.
Fish, Fishers and Fishing, 259
Aliens 43.
Clapboard.
Bankrupts 41.
Calves 8.
Custom 33, 58.

Havens

The T A B L E.

Havens 1, &c.
Hunters 17.
Ships.
Severn.
Trade 10, 11.
flax and Hemp, 265
Linen-cloth 6.
Flocks.
Drapery 34, 51, 139, 215, &c.
 242, 295.
Fools, Lunaticks and Mad-
men, 265
Wills 22.
forcible Entry, 265
Affizes 20.
Process 13.
forests, Chales, Parks and
Warrens, 266
Cross-bows 7.
Felony 5.
Horses 7, 17.
forfeiture, 271
forger of false Deeds, 272
Seamen 10.
Forma Pauperis.
Damages 11.
Poor People 1.
Formedon.
Limitations 16.
Uses 2.
forestallers, Regrators and
Ingrossors, 273
Fortresses.
Castles.
Fowlers.
Feasants 10.
Frays.
Assault.
Frank-marriage.
Dower 4, 7.
franchises and Liberties, 275
Arrests 1.
Attorney 1, 9.
Conusance.
Coroners 7.
Custos Rotulorum 4.
Debt to the King 15.
Escheators 29.
Estreats 8.

Fairs 5.
Mortmain 10.
Sheriffs 25.
Fraud and Collusion.
Collusion.
Feoffment 1.
Felony 23.
Forfeiture.
frauds and fraudulent Con-
veyances, 280
freehold, 284
Attaint 1.
Freight.
Ships.
Fry of Fish.
Ships.
Fuel, 284
Fullers.
Drapery.
Fugitives beyond Sea.
Forfeiture.
fustians, 286
 G.
Gamings.
Actions Popular 9.
Plays and Games 13, &c.
Gaols and Gaolers.
Executors 12.
Prison.
Protection 5.
Sheriffs 16.
Gaol-delivery.
Justices of G. D.
Guardian.
Crown 167.
Garnishment.
Deceit 3.
Gavelkind.
Forfeiture 4.
Wales 148.
Gaging, 286
Excise.
Weights 50, 58, 65, 66.
General Issue.
Burials 9.
Calves, &c. 16.
Captains and Soldiers 39.
Collectors 2.
Customs 58.
 A a a

Drd.

The TABLE.

<i>Drapery</i>	323.
<i>Evidence</i>	1.
<i>Excise</i>	13.
<i>Hearth-money</i>	7.
<i>High-ways</i>	44, 55, 67.
<i>Issue.</i>	
<i>Marshes</i>	14.
<i>Militia</i>	33.
<i>Nonconformists</i>	21.
<i>Tobacco</i>	13.
Gigmills,	288
Girdlers.	
<i>Cordwainers.</i>	
Glamorgan.	
<i>Sewers</i>	34.
<i>Glass-men.</i>	
<i>Vagabonds</i>	15, 22.
Glocester.	
<i>Forfeitures</i>	4.
Gold, Silver and Goldsmiths,	288
Grafton.	
<i>Honours</i>	3.
Grants,	291
Green-wax.	
<i>Estreats</i>	8.
<i>Sheriffs</i>	4.
Green-hue.	
<i>Forests</i>	16, 22.
Grey-hounds.	
<i>Hunters</i>	13.
Guilds and Fraternities.	
<i>Monasteries.</i>	
Guinea-Company.	
<i>Bankrupts</i>	41.
Guns and Gunners.	
<i>Cross-bows.</i>	
<i>Hunters</i>	13.
Gun-powder.	
<i>Merchants</i>	89.
Gun-powder Treason.	
<i>Service and Sacraments.</i>	
H	
Habeas Corpus,	292
<i>Corpus cum causa.</i>	
<i>Prison, Prisoners</i>	24.
Hadenham in the Isle of Ely.	
<i>Appropriations</i>	2, 4.
Hampton Court.	

<i>Honours.</i>	
Hand-guns and Hauque-butts.	
<i>Plays.</i>	
Handy-Crafts.	
<i>Artificers.</i>	
<i>Captains and Soldiers</i>	39.
Hats and Caps,	294
<i>Norwich</i>	4, &c.
Habens and Ribers,	295
<i>Approvements</i>	11.
<i>Customs</i>	13, 56.
Dover.	
<i>Newcastle.</i>	
<i>Wears.</i>	
<i>Yarmouth.</i>	
Hawks and Hawking,	297
<i>Feasants.</i>	
<i>Fish</i>	42.
<i>Forests</i>	13.
Heirs.	
<i>Admeasurement of Dower.</i>	
<i>Age.</i>	
<i>Courts</i>	22.
<i>Debt to the King</i>	20, 22.
<i>Dower</i>	6.
<i>Frauds, &c.</i>	22, 23.
<i>Mortdancastor.</i>	
<i>Prochein-amy.</i>	
Hemp.	
<i>Flax.</i>	
Hearth-money,	297
Heretick,	298
Herrings.	
<i>Clap-board</i>	5.
<i>Fish.</i>	
Herons.	
<i>Hawks.</i>	
Herthamshire,	298
Hides.	
<i>Cordwainers.</i>	
High Commission.	
<i>Crown</i>	159, &c.
High-ways,	298
<i>Banks</i>	6.
<i>Robberies</i>	7, 8.
Holborn.	
<i>Paving.</i>	
Holy-days and Fasting-days,	303
	<i>Cord.</i>

<i>Cord.</i>	
<i>Lona.</i>	
<i>Holy C.</i>	
<i>Crow.</i>	
<i>Homag.</i>	
<i>Honour.</i>	
<i>Hon.</i>	
<i>Fore.</i>	
<i>Wax.</i>	
<i>Hops,</i>	
<i>Porner.</i>	
<i>Horses.</i>	
<i>Calv.</i>	
<i>Fair.</i>	
<i>Felo.</i>	
<i>Hospit.</i>	
<i>Cita.</i>	
<i>Eleb.</i>	
<i>Firf.</i>	
<i>Tem.</i>	
<i>Hound.</i>	
<i>Houses.</i>	
<i>Mon.</i>	
<i>Houses.</i>	
<i>Calv.</i>	
<i>Fish.</i>	
<i>Hoff.</i>	
<i>Hun.</i>	
<i>Non.</i>	
<i>Poor.</i>	
<i>Vag.</i>	
<i>Hoyes.</i>	
<i>Shi.</i>	
<i>Hull.</i>	
<i>Shi.</i>	
<i>Hund.</i>	
<i>Shb.</i>	
<i>Hunt.</i>	
<i>Fea.</i>	
<i>Fis.</i>	
<i>For.</i>	
<i>Husb.</i>	
<i>Hue.</i>	
<i>Ho.</i>	
<i>Ro.</i>	
<i>Jane.</i>	
<i>Da.</i>	
<i>Iden.</i>	

The T A B L E.

Cordwainers 44.
London 24.
Holy Orders.
Crown.
Honour and Fealty, 306
Honours, ib.
Hony.
Forests 12.
Wax 7, &c.
Hops, 307
Horners, ib.
Horses, Hares and Cattle, ib.
Calves 23.
Fairs 13, &c.
Felony 27, 29.
Hospitals and Hospitalers, 310
Citation 1.
Election.
First-fruits 45.
Templers.
Houndsw-Heath, 312
Houses of Religion.
Monasteries.
Houses of Correction.
Calves 12.
Fish 50.
Hospitals.
Hunters 11.
Nonconformists 1.
Poor People.
Vagabonds 1, 5, 13, 26, &c.
Hoyes.
Ships 14, 22, 53.
Hull, 313
Ships 18.
Hundreds, 313
Sheriffs.
Hunters and Hunting, 313
Feasants 11, 12.
Fish 42.
Forests.
Husbandry and Tillage, 316
Hue and Cry.
Holy-days 15.
Robbery.
I,
Jane Dudley.
Deeds and Writings,
Identitate nominis, 316

Idiots.
Escheats 40.
Fools.
Jeoffails, 316
Repleader.
Jesuits and Seminary Priests,
Crown 53, &c. 82.
Isle of Wight, 318
Militia 22.
Images.
Books.
Importation.
Books.
Calves and other Cattle 7.
Customs 65, 68.
Drapery 1, 50.
Merchants 91, &c.
Ships 63.
Taxes 16, &c.
Trade.
Imprisonment.
Prison.
Inclosure.
Felony 29.
Incontinency of Priests, 318
Incumbent, 319
Parson.
Indicabit, 319
Indictment, ib.
Certificate of the, &c.
Clergy 8.
Confirmation 17, 21,
Demurrers 2.
Process 2.
Infants.
Crowns 92, &c. 137, 139.
Fines 17, &c.
Infections, 320
Prison 28.
Informers, 320
Actions popular,
Inholders.
Ale-houses.
Excise.
Vitruallers,
Inmates.
Cottages.
Inns of Court and Chancery,
Crown 27.
A a a 3

The TABLE.

Incolment,	321	Jurors,	326
Error 9, 10.		Attaint 15, 16, &c.	
Fee-farm Rents.		Attorney 2.	
Grants.		Challenge.	
Felony 23.		Cross-bows 12.	
Instalments,		Customs 53.	
Mortmain 10.		Decies tantum.	
Intestate.		England and Scotland 4, 13.	
Administrators.		Escheators 2, 8, 23.	
Intrusion.	322	Essoign 2.	
Inventory.		Execution of Statutes.	
Administrators.		Fish 38, &c.	
Executors.		Forcible Entry 5.	
Invasion.		Forest 35.	
Armour 2.		Indictments.	
Joynt Tenants, and Tenants in		Informers 4.	
Common.		Lancaster.	
Assizes 13.		Pannel.	
Essoign 5.		Sheriffs 27.	
Partition.		Trial.	
Suit 5.		Staple 19.	
Ipswich,	322	Wales 5.	
Ireland,	323	Justice and Right and Justices,	331
Staple 4, 26.		Accusation 1, &c.	
Iron,	325	Armour.	
Merchants 89.		Distresses 4.	
Woods 17, &c.		Merchants.	
Journey-man.		Justices in Eyre,	332
Books 18.		Attorney 3.	
Corporations 4.		Treason 1.	
Worsted 27.		Justices of Assize,	332
Issue.		Affidavit 3.	
Process 18 Collectors 2.		Aliens 13.	
Issues.		Armour 4.	
Fines, &c.		Books 15, 20.	
Judgment,	325	Burials 8.	
Demurrers.		Commission 1.	
Error.		Cordwainers.	
Felony 23.		Corn 9.	
Fraud 25.		Coroner 9.	
Judicial Proceedings.		Corporation 1.	
Confirmation 13.		Cottages.	
Discontinuance of pro. 9.		Counterfeit Letters.	
Process 17, 18.		Crown.	
Jurisdiction,	326	Discontinuance of Process.	
Juris utrum,	ib.	Drapery 311.	
Assizes 14.		Felony.	
Discontinuance of Process 3.		Feasants.	
Essoign 4.			

The T A B L E.

Fines 15.
 Forgers of False Deeds.
 High-ways.
 Juries.
 Justices 5.
 Justices of Goal-delivery.
 Labourers.
 Linen Cloth.
 Liveries.
 Money 30.
 Musters.
 Nisi prius.
 Nonconformists.
 Non-suit.
 Offices 11.
 Parliament.
 Perjury.
 Plays.
 Prison.
 Prophecies.
 Records.
 Return of Sheriffs 10.
 Ryots.
 Robbery.
 Service and Sacraments.
 Severn 8.
 Treason 1.
 Usury.
 Wines 1, 2.
 Women 8.
 Woolls 26, &c.
 Justices of both Benches, 334
 Attorney 3, &c.
 Affidavit 3.
 Books 4, 7.
 Chancery.
 Commission 1, 2.
 Crown 19, 63.
 Drapery 311, 315.
 Error.
 Escheators 1.
 Execution of Statutes.
 Executors 9, 10, 11.
 High-ways 41.
 Justice.
 London 4, 47.
 Nisi Prius.
 Offices 11.
 Parliament.

Prison.
 Robbery.
 Sewers 7.
 Sheriffs 7.
 Treason 1.
 Usury.
 Wines.
 Justices of Gaol-delivery, 334
 Actions popular.
 Conventicles.
 Cordwainers.
 Crown. 44, &c.
 Discontinuance of Process 6, 7.
 Felony.
 Justice 5.
 Justices of Assize 5, 6, 10.
 Murder.
 Nonconformists.
 Pannel.
 Parliament.
 Perjury.
 Plays.
 Prison.
 Records.
 Robbery.
 Severn 8.
 Ships 47.
 Woolls 26, &c.
 Justices of Oyer and Terminer,
 Books 20.
 Crown 46.
 Discontinuance of Process.
 Exigent 3.
 Forger of False Deeds.
 High-ways.
 Justices of Peace 4.
 Labourers.
 Linen Cloth.
 Oyer and Terminer;
 Nonconformists.
 Prophecies.
 Rewards.
 Robbery.
 Service and Sacraments.
 Severn 8.
 Silk 2, 3.
 Treasury 1.
 Usury.

The T A B L E.

335

Justices of Peace,
Actions popular,
Ale-houses.
Armour.
Arrow heads.
Bank 3.
Bastardy 3, &c.
Brass, &c.
Bridges.
Burials.
Butter 11.
Calves 3, &c.
Captains.
Chester 2.
Clergy 16.
Clerk of the Market.
Commission 1.
Conventicles.
Cordwainers.
Corn.
Coroner 9.
Corporations 8.
Cottages.
Counterfeit Letters.
Coopers.
Cross-bows.
Crown.
Customs 39, 48, 49.
Discontinuance of Process 1.
Drapery 18, 48, 49, 68, 114.
116, 142, 209, 229, 234, &c.
247, 291, 297, 324.
England and Scotland.
Escheators 18.
Excise.
Fairs and Markets 15, 19.
Felony.
Fasants.
Fines 16.
Fish 23, &c.
Forcible entry.
Forestallers.
Franchises 26.
Fuel.
Gold.
Havens. 3.
Hearth-money.
Highways.
Holy-days.

Horses.
Hunters.
Indictments.
Informers.
Ireland 15.
Justices of G. D.
Labourers.
Linen-cloth.
London.
Mainprize.
Malt.
Merchants 92.
Marshes 38.
Money 30, 41.
Muslers.
Newcastle 9.
Nonconformists.
Nisi Prius.
Panel.
Parliament.
Paving.
Perjury.
Physicians.
Plague.
Plays.
Poor People.
Prison.
Process.
Prophecies.
Purveyors.
Riots.
Robberies.
Service and Sacraments.
Sewers 12, 37.
Sheep.
Sheriffs.
Ships 47.
Silk 2, 3.
Swearing and Cursing.
Tiles.
Tindale.
Tithes.
Tobacco.
Trespass.
Vagabonds.
Victuals, Victuallers.
Universities.
Usury.
Watches.

Wax.

The T A B L E.

Wax.
Wears.
Weights and Measures.
Wild fowl.
Wines.
Wood.
Wooll.
Justices of the Forest.
Forests:
K.
Keeper of the Great Seal of
England. 337
Kerseys.
Drapery.
King. 337
Advowson 10, 11, 12.
Challenge.
Courts.
Crown.
Customs.
Damages 12.
Debts to the King.
Discontinuance of Process 2.
Essoign 13.
Excise.
False Judgment.
Fools.
Forfeiture.
Franchises.
Justices.
Money.
Patents.
Tax.
Treason.
King's Bench.
Attaint 47.
Books 15, 20.
Exigent 3.
Treason 13.
Kings Letters.
Excommunication 2.
Knights, L. 338
Labourers, Servants, and
Apprentices, ib.
Actions popular 9.
Apprentices.
Cordwainers 26.
Crown 119.

Drapery 47, 48, 49, 201, 324.
Hats and Caps 1.
Iron.
London 25, 26, 27.
Merchants 86.
Lancaster, 345
Avowry 8.
Certificate of the, &c. 5.
Courts 27, 29, 32.
Exigent 15.
Fines 31.
First-fruits 44.
High-ways 84.
Hospitals 16, &c.
Justices of Assize 16.
Sheriffs 92.
Wales 149, 152.
Lapse.
Service and Sacraments 43.
Latten.
Brass.
Lead.
Merchants 18, 21.
Staple.
Leagues and Truce.
Breakers of Leagues and Truce.
Leap Year.
Days in bank.
Leases. 345
Cornwall.
Frauds, &c. 14.
Marshes 29.
Leather.
Actions popular 10.
Cordwainers.
Merchants 18, 21, 89.
Staple 5, 22, &c.
Taxes 4.
Wooll.
Lee-River, 349
Chelsey.
Leet, 349
Cottages 2, 3.
County.
Cross-bows.
Crown 27.
Drapery 48, 49.
Letters of Mart.
Merchants 24.

Letters

The T A B L E.

Letters Patents.		Lords,	376
<i>Patents.</i>		<i>Cross-bows</i> 12.	
Lewes.		<i>Crosses.</i>	
County 5.		<i>Forfeiture.</i>	
Libel.	349	<i>Freehold.</i>	
Books.		<i>Justices of Assize</i> 8.	
Liberty.		<i>Return of Sheriffs.</i>	
<i>Accusation.</i>		<i>Treason</i> 3, 5.	
<i>Amerciaments</i> 1.		Lords-day.	
Liberties.		<i>Holy-days and Fasting-days.</i>	
<i>Franchises.</i>		Lunatick.	
Limitation,	350	<i>Fools.</i>	
Lincoln.		M.	
<i>Attaint</i> 11, 12.		Madmen.	
Linn,	352	<i>Fools.</i>	
<i>Approvements</i> 11.		Maimed Soldiers.	
<i>Worsted</i> 13.		<i>Captains, &c.</i> 21, &c.	
Linen-Cloth,	352	<i>Mainprize and Bail,</i>	376
<i>Drapery.</i>		<i>Maintenance,</i>	378
Liberty & Duster le main,	353	<i>Affizes</i> 20.	
Liberty of Companies and Re-		<i>Actions popular,</i>	
tainers,	354	<i>Champerty.</i>	
Loan.		<i>Execution of Statutes.</i>	
<i>Taxes.</i>		<i>Feoffments</i> 1.	
Lockeram.		<i>Informers</i> 8.	
<i>Linen Cloth.</i>		<i>Liveries of Companies.</i>	
London,	354	<i>Nisi Prius.</i>	
<i>Attaint</i> 18, &c. 53, 54.		Mayors and Head-Officers.	
<i>Butchers.</i>		<i>See more of the Titles under</i>	
<i>Butter</i> 4.		<i>Justices of Peace.</i>	
<i>Captains</i> 38.		Masters of the Rolls.	
<i>Challenge</i> 3.		<i>First-fruits.</i>	
<i>Cordwainers</i> 39.		<i>War</i> 5.	
<i>Corporation</i> 9.		Malt,	379
<i>Damages</i> 5.		<i>Corn</i> 10.	
<i>Debt</i> 6, &c.		<i>Trade.</i>	
<i>Franchises.</i>		Man, Isle of Man.	
<i>Fustians.</i>		<i>Calves</i> 9, 17.	
<i>High-ways</i> 26, &c.		Merchants and Merchandize,	380
<i>Jurors</i> 18, &c.			
<i>Monopolies</i> 6.		<i>Amerciaments</i> 1.	
<i>Paving.</i>		<i>Butler of the King</i> 4.	
<i>Recet.</i>		<i>Customs.</i>	
<i>Sewers</i> 42.		<i>Drapery</i> 250, 254.	
<i>Sheriffs</i> 46.		<i>Exchange</i> 3, 4.	
<i>Vagabond</i> 10.		<i>Ireland.</i>	
<i>Weights</i> 49.		<i>Labourers</i> 25.	
<i>Wines</i> 1.		<i>Money.</i>	
<i>Women</i> 15.		<i>Monopolies</i> 6.	

Ships.

The T A B L E.

Ships.
Staple.
Trade.
Wines.
Wooll.
Worsted. 1.
Marches.
Courts 32.
Mariners.
Captains 21, &c.
Ships 32, 37.
Vagabonds 14, 16, &c.
Markets.
Fairs.
Marriage and Marriages, 404
Appeals R. 1.
Dispensations 2.
Marthalea, 390
Error 1.
Marches and Fens, 391
Approvements 8, &c.
Felony 9.
Masons, 404
Masters in Chancery.
Burials 3.
Chancery.
Measures.
Clerk of the Market.
Weights.
Melne, 405
Messengers.
Books 19.
Middlesex.
Nisi prius, 14.
Paving.
London.
Milch kine.
Calves 3, &c.
Militia, 406
Ministers, 412
Burials.
Parson, &c.
Mint.
Money.
Misprison of Treason.
Money 50.
Monasteries, Abbies, Prio-
ries, Colleges, Free-Chapels,
Hospitals, Chanteries, 414.

Patents 7, &c. 17.
Money, 423
Gold.
Merchants 40, &c.
Treason 1, 27, 31, 32, 33, 36.
Monopolies, 430
Mortdancer, 431
Affizes 1.
Damages 3, &c.
Discontinuance of Process 3.
Mortmain, 432
Fee-farm Rents 6.
Union of Churches 11.
Mortuaries, 434
Multiplying.
Money.
Mum, v. Beer, Ale and Mum.
Munition.
Actions popular 10.
Murther and Man-slaughter, 435
Forfeitures 10.
Musters, 436
Militia.

N.

Navy:
Purveyors 15.
Ships.
Naval Stores.
Clergy 44.
Seamen.
Nets.
Fish.
Linen-cloth. 6.
Newcastle upon Tyne, 437
News, 438
Newport upon Usk.
Bridges 13.
Nisi prius, 438
Attaint 5, 47.
Non-ability.
Ability.
Non-claim 7.
Fines 11.
Confirmation 20.
Non conformists, 441
Non-plevin, 442
Non-

The T A B L E.

Don-suit,	442	Parliament 28, 36.	
<i>Avowry</i> 4, 5.		Robberies 29.	
<i>Damages</i> 14.		Seamen 11.	
<i>Mainprize and Bail</i> 16.		Trade 17, 18, 19.	
Don-tenure,	443	Sewers 13.	
Norfolk.		Sheriffs 75.	
<i>Fish</i> 16.		Oath ex Officio.	
<i>Sheep.</i> 6.		<i>Crown</i> 162.	
<i>Worsted.</i>		Oblations, Obventions,	
Northampton,	443	<i>Appeals to Rome</i> 1.	
Northumberland,	445	Obligations,	446
<i>Robberies</i> 19, &c.		<i>Administrators.</i>	
Northwich,	445	<i>Courts.</i>	
<i>Worsted.</i>		<i>First fruits</i> 4.	
Novel disseisin.		Occupant.	
<i>Age.</i>		<i>Frauds</i> 24.	
<i>Affizes.</i>		Odio & atia,	446
<i>Damages</i> 1, 2, &c.		Officers and Offices.	447
<i>Discontinuance of Process</i> 3.		<i>Account</i> 5.	
<i>Essoign</i> 15.		<i>Alienation without Licence</i> 4.	
<i>Iustices in Eyre</i> 3.		<i>Appearance.</i>	
Nuper obiit.		<i>Affizes</i> 2, 5.	
<i>Essoign</i> 10.		<i>Crown</i> 7, &c, 151.	
Pluance,		<i>Corporation.</i>	
<i>Calves and other Cattle</i> 7.		<i>Customs</i> 15.	
<i>Cordwainers</i> 61.		<i>Escheators.</i>	
<i>High-ways</i> 54.		<i>Excise.</i>	
<i>Infections.</i>		<i>Extortion.</i>	
<i>London</i> 12.		<i>Fees.</i>	
<i>Woolls</i> 45.		<i>Money.</i>	
<i>Taxes</i> 16.		<i>Staple</i> 15.	
O.		Oyer and Terminer,	451
Oath,	446	<i>Actions popular.</i>	
<i>Aliens</i> 45, 46.		<i>Commission</i> 6.	
<i>Captains and Soldiers</i> 39.		Oyl,	451
<i>Commission</i> 5.		<i>Ships</i> 67.	
<i>Corporation</i> 5, 6, 7.		<i>Trade</i> 17.	
<i>Crown</i> 6, &c 108.		Ordinaries,	452
<i>Drapery</i> 314, 316, 320.		<i>Administrators.</i>	
<i>Excise</i> 11, 38.		<i>Advowsons</i> 5, 12.	
<i>Iustices, &c.</i> 2, 5.		<i>Bastardy</i> 1, 2.	
<i>Linen-cloth</i> 7.		<i>Clergy.</i>	
<i>London</i> 12.		<i>Crown</i> 44, &c.	
<i>Merchants</i> 81.		<i>Fools</i> 2.	
<i>Militia</i> 15.		<i>Forger of false Deeds</i> 6.	
<i>Nonconformists.</i>		<i>Hospitals</i> 1.	
<i>Officers</i> 12, &c.		<i>Leases.</i>	
		Overseers of the Poor.	
		<i>Burials.</i>	
		<i>Calves</i>	

6

6

Pypowders.

The T A B L E.

Pypowders.
Fairs and Markets.
 Plague, 481
 Burials 7.
 Plaisterers.
 Painters.
 Plantations.
 Ships.
 Trade.
 Plate.
 Gold.
 Money.
 Plays and Games, 482
 Pleading and Pleaders, 484
 Advowson 3.
 Pleas of the Crown, 485
 Pledges.
 Debts of the King 2.
 Plumstead Marsh, 485
 Pope.
 Crown.
 Rome.
 Policies of Assurance.
 Merchants 77, 96.
 Poor People, 485
 Appropriations 1.
 Bankrupts 9.
 Burials 3.
 Butter and Cheese 9.
 Calves 7, 8, 11, 12, 13, 14.
 Captains 34, &c.
 Clerk of the Market 6, 8, 9.
 Drapery 399, 307.
 Excise 16.
 Hearth-money 10, 11, 12.
 High-ways.
 Holy-days 12.
 Hunters 17.
 Nonconformists 6, 7, 11.
 Severn 8. *Taxes* 16, 17.
 Vagabonds 13.
 Weights and Measures 68.
 Worsted 19.
 Ports.
 Breakers of Leagues & Truces.
 Havens.
 Port Towns.
 Corporations 7.
 Poysoning.

Felony 14.
 Post Fines.
 Fines, &c.
 Post-office, 492
 Potters.
 Butter and Cheese 10.
 Prerogativa Regis, 496
 Corporation 1.
 Praeceptum in Capite.
 Right.
 Prae-emption.
 Purveyors.
 Praemunire.
 Appeals to Rome 4, 9.
 Armour.
 Arms 11.
 Attorney 3.
 Calves, &c. 18.
 Crown 10, 18, 31, 35, 38, 55, 107.
 Dispensations.
 Felony 16.
 Habeas Corpus 11.
 Parliament 36.
 Proviso.
 Presbeck in Cumberland.
 Bridges 15.
 President of the Council, 496
 Pretensed Titles.
 Maintenances 6, &c.
 Primer seisin, 497
 Printing.
 Books.
 Monopolies 7.
 Prison and Prisoners, 497
 Corpus cum causa.
 Habeas Corpus.
 Discontinuance of Process 6.
 Felony 2.
 Prize-Goods.
 Accounts 9.
 Prize-ships, 504
 Ships 80.
 Privy Seal.
 Execution of Statutes.
 Pardon 9.
 Privilege.
 Monopolies 7.
 Probate of Testaments, 504
 Seamen 12.

Will.

The T A B L E.

Wills.
Procedendo.
Affizes 18.
Process, 505
Days in bank.
Holy days 16.
Judicial proceedings.
Prochein amy, 508
Proclamation.
Debt 5.
Exigent.
Profer.
Days in bank.
Prohibition and consultation 508
Prophecies, 509
Property.
Fairs and Markets.
Protection, 510
Chester 8.
Provision and Premunire, 510
Provers.
Appeals 5, 7.
Pulham.
Norwich 7.
Purbeck.
Militia 17.
Purgation.
Clergy.
Purmeasures, 511
Purveysors, ib.
Excise 16.
Franchises 22.
Staple 9.
Weights 35, 36.
Q.
Quakers.
Nonconformists.
Quare Impedit.
Advowson.
Days in bank 5, 6, 22.
Essoign 1.
Justices in Eyre 3.
Quarentine.
Dower.
Quartering of Soldiers.
Captains and Soldiers 43.
Queen, 515
Quietus est.

Debt to the King 26.
Sheriffs 91.
Quod permittat, 515
Quod ei deforceat.
Dower 7.
Quo Warranto.
Franchises.
R.
Rape, 515
Reasonable aid, 516
Recetbers, ib.
Customs.
Money.
Sheriffs 33.
Recognizance and Statute-
Merchant, 519
Chester 9.
Felony 23.
Fines, Amerciaments, &c.
Pardon 38.
Frauds 28.
Staple 20, 21, 52, 53.
Recordare.
Replevin 2.
Records, 524
Amendments 7, &c.
Recognizance 29.
Recoveries, 524
Felony 23.
Wales 152, &c.
Recusants.
Actions popular 10.
Crown 70.
Officers 18, &c.
Parliament 43, &c.
Tenures 13.
Restory, 526
Re-disseisin, ib.
Admeasurement of Pasture 3.
Referees.
Justice 6.
Regrators.
Forestallers.
Relief, 527
Religion.
Crown 13.
Religious Persons.
Ability 6.
Amerciaments 1.

Arrests

The T A B L E.

Arrests 2, 3.
County 2.
Dispensations 3.
Durefs.
Election.
First-fruits 6.
Leases.
Marshalsea 5.
Matrimony.
Residence.
Service and Sacraments.
Sheep.
Spiritual Laws.
Religious Houses.
Mortmain.
Patents 18.
Rents, 527
Cessavit.
Repleader, 528
Replevin of Cattle, ib.
Avowry.
Distresses.
Rescort, 529
Residence, 530
Restitution, 534
Forcible entry.
Retainers.
Execution of Statutes.
Return of Sheriffs and Bailiffs, 334
Days in bank.
Sheriffs 44.
Reversions and Remainders.
Attaint 9, 46.
Conditions.
Richmond, 536
Rye and Winchelsey, ib.
Right, ib.
Accusation.
Justice.
Riots, Routs and unlawful Assemblies, 537
Execution of Statutes..
Rivers.
Admiralty 3.
Havens.
Robberies, 539
Holy-days 15.
Forfeitures.

Rochester.
Bridges 9, 12.
Rogues.
Poor 31, &c.
Vagabonds.
Rome, 544
Crown 18, 32.
Dispensations.
Proviso.
Ropes.
Cables.
Rumours.
News.
S.
Sacraments.
Appeals to Rome.
Crown 165.
Service and Sacraments.
Safe Conduits, &c. 546
Saint Johns, 547
Saint Martins le Grand.
Aliens 14, 27, 34.
Salmon.
Fish.
Severn.
Salt.
Customs 56, 77.
Trade.
Weights and Measures 67, &c.
Scarborough, 547
Scavage.
Aliens 31.
High-ways.
Paving 10.
Taxes 7, 8.
Schools, School-masters and Scholars.
Crown 45, 96.
First fruits 45.
Nonconformists 7.
Service & Sacraments 38, 39.
Scire Facias.
Administrators 13.
Debt to the King 22.
Execution 2, 4.
Scotland and Scots.
Berwick.
England and Scotland.
Sea and Seamen, 547
Frauds

The T A B L E.

Frauds 33.
Ships.
Seals, 550
Treason 1.
 Second deliverance.
Avowries.
 Secretary of State.
Books 7, 19, 23.
 Sectaries, Schismatics, &c.
Crown 70, &c.
 Se defendendo.
Pardon.
 Seizures.
Sheriffs, 87, 88, &c.
Serjeant at Arms, 550
 Servants.
Executors 9.
Felony 7, 8.
Labourers.
 Service and Sacraments, 550
Aliens 45, 46.
 Sessions.
Butter 11. *Books* 20.
Crown 27.
Justices of Peace.
Sebern, 558
Passage.
Sewers, 559
Approvements 8, &c.
London 28.
Marshes 5, &c.
Sheep, 567
Calves 3, 7, &c.
Felony 27.
Ships 45.
Trade 9.
Sheriffs, 568
Account.
Admeasurement of Pasture.
Appeals 7, 8.
Affizes 2, 11, 12, 22.
Attaint 14, &c.
Conventicles 3, 10.
Coroner 2.
Crown 120.
Customs 39.
Debt 5.
Debt to the King 3, 4, 15.
Discontinuance of Process 5.

Distresses.
Drapery 116.
England and Scotland 6.
Eschequer.
Estreets 5.
Excommunicato capiendo.
Execution of Stat.
Executors 9.
Exigent.
Extortion.
Felony 28.
Forcible Entry.
Forests 29.
Forfeiture 5.
Hawks.
Hearth-money.
Indictments.
Jurors.
Justices in Eyre.
Justices of Assize 4.
Labourers 14, 46.
Mainprize.
Monasteries 5.
Mortmain.
Murder.
Nonconformists 18.
Panel.
Pardon.
Parliament.
Perjury.
Physicians 27.
Prison.
Processes.
Purveyors.
Receivers 13, 19.
Recognizance.
Redisseisin.
Replevin of Cattle.
Return of Sheriffs.
Riots.
Robberies.
Suits 7.
Tobacco 2.
Trespass 1.
Women 8.
Wreck.
Ships and Shipping, 582
Admiralty 3.
Brass 8, 22.
 B b b *Bflakiti*

The TABLE.

Breakers of Leagues 3, 6, 7.
Cattle and other Cattle 13.
Customs 4, 48.
Newcastle.
Thames.
Virtuals 18.
Shoo-makers.
Cordwainers.
Shop-Book.
Debt 11, 12.
Silk, 395
Customs 24.
Silva cadua.
Prohibition 10.
Slander.
Damages 15.
Soap.
Coopers 7, 8.
Soldiers.
Captains, &c.
Fraud 33.
Vagabonds 16.
Southampton, 396
Woolls.
Southwark, ib.
Butter 4.
Spice, 399
Customs 65.
Trade 7.
Spiritual Laws, ib.
Spiritual Persons.
Appeals to Rome 2, 3.
Arrests 2, 3.
First-fruits 6.
Leases.
Residence.
Religious Persons.
Spiritual Laws,
Spiritualty, 600
Stabbing.
Clergy 41, 42.
Stanes, 600
Stannery Court.
Courts 33.
Havens, &c. 3.
Staples, 601
Customs 9.
Marchants 15, &c.
Woolli.
Star-Chamber.

Courts 32.
Women 10, &c.
Stationers Company.
Books.
Statute Merchant.
Frauds and fraudulent Con-
voyances 9, &c.
Recognizances.
Statute Staple.
Courts 2, 3.
First-fruits 4.
Frauds and fraudulent Con-
voyance 9, &c.
Felony 23.
Staple 20, 21.
Steel, 607
Still-Pard, ib.
Aliens 30.
Stewards of Lect.
Feasants.
Fish 37.
Franchises.
High-ways.
Horses.
Hunters.
Malt.
Musters.
Plays.
Sheriffs 9.
Virtual.
Weights.
Stewards of the Kings Hou-
shold.
Butler of the Kings.
Staple 11, 13.
Strand.
Paving 10.
Subornation.
Perjury.
Witness.
Subpona.
Accusation 11.
Suburbs of London.
Paving.
Suffragans.
Bishops 4, &c.
Suit, 607
Corporation 2.
Corpus cum causa, &c.

Suit

The TABLE.

Suit of Court.
Distresses.
Justices in Eyre.
 Superfedeas.
Corpus cum causa.
Execution 7, 9.
 Supplicavit.
Corpus cum causa 4, &c.
 Supremacy.
Oath thereof, Crown 6.
Aliens 45.
Corporations 7.
Drapery 314.
 Surety.
Corpus cum causa 4, 5.
 Surgeons.
Aliens 32.
Physicians.
 Surbeyors; 607
Courts.
 Swans; 608
Feasants 2.
 Swearing and Cursing, ib.
 Swine.
Calves and other Cattle 7, &c.
 T
 Tales de circumstantibus.
Jurors 27, &c.
Nisi Prius 14.
 Tati, 609
Bankrupt 37.
Crown 3.
Dower 4, 7.
Fee-Farm Rents 15.
Fines 27, &c.
Leases 1, &c.
 Tallies.
Sheriffs 3, 59, &c.
 Tangier.
Ships 94.
 Tanners.
Cordwainers.
 Tapestry.
Linen-cloth 6.
 Taverns.
Ale-houses.
Taxes, &c. 610
Captains 21, &c.
 Teller of News.

News.
 Tellers.
Receivers.
 Templers, 611
Citation 1.
Crosses.
 Tenants in Common.
Affizes 13.
Essoign 5.
Partition.
 Tenant by the Courtesie.
Crown 136.
Dower 4, 7.
Partition.
 Tenant for Life.
Dower 4, 1.
 Tenth.
Receivers 19.
Taxes, &c.
 Tenure, 611
 Term.
Days in Bank.
 Testaments.
Appeals to Rome.
Probat.
Wills.
 Testimonial.
Labourers.
 Tewksbury.
Passage 1.
 Thames.
Passage 18.
Havens, &c. 5, 6.
 Theft.
Clergy.
 Thread.
Linen-cloth.
 Tiles, 613
 Tillage.
 Trade.
 Timber, 613
 Tindale, 614
 Tinkers.
Brass.
Customs 9, &c.
 Tinniers.
Militia 19.
 Tythes, 614
Appeals to Rome.

The T A B L E.

Indicavit.
Union, &c. of Churches 7, 11.
Tobacco, 618
Customs 65.
Ships 92.
Trade.
Toll, 620
Fairs.
Forests 14.
Weights 17, 70, 73.
Towns, 620
Corporation.
Town-Clerk.
Fines, &c. 4.
Weights 41, &c.
Trade, 622
Cattle.
Captains and Soldiers 39.
Customs.
Drapery.
Fib.
Merchants.
Ships.
Transportation.
Clergy 44.
Felony 28.
Habeas Corpus 11, 12.
Robberies 25.
Traverse to Office.
Escheators 3, 5, &c.
Treason, 627
Crown.
Nisi prius 13, &c.
Pardon 12, &c.
Trial 9, 11.
Treasurer.
Affidavits 3.
Aid of the King 4.
Aliens 13.
Attorney 8.
Bankrupts 1.
Books 4.
Cornwal 10.
Corporation 1.
Customs 31, 39, 49, 57, 59.
Drapery 21, 42, 43, 54, 62, 311.
Error.
Escheator 1.
Execution of Statutes.

Fee-farm Rents.
Fish 13.
Hearth-money 23, 31.
Merchants.
Money 60, &c.
Officers.
Sewers 8.
Sheriffs 7.
Staple 27.
Treason 1.
Trade.
Vacation of Bishopricks.
Wines 30.
Wools 6.
Trespas, 632
Attaint 7.
Trial, 633
Accusation 1, &c.
False Judgment.
Jurors.
Trusts.
Frauds, &c. 19, &c.
Turn.
County.
Tunnage and Poundage.
Customs 27, 28.

V.
Vacation of Bishopricks, 636
Forfeiture 2.
Magabonds, 637
Captains 33.
Poor 34.
Verdict.
Issue.
Jurors.
Trial.
Wettry-men, 642
Vicars.
Appropriation.
Parson.
Mistral and Mistralers, 642
Ale-houses.
Customs 6, 11.
Mew, 646
Mistral and Mistralers, ib.
Amerciaments 1.
Vintners.
Ale houses 27.

The T A B L E.

Union and Severing of Churches, 647
 Universities, 648
 Books 7, 21.
 First-fruits 42.
 Ireland 15.
 Wines 22.
 Unlawful Games.
 Actions Popular 9.
 Plays.
 Voucher, 650
 Voyages.
 Admiralty.
 Upholders, 651
 Upton upon Severn.
 Bridges 17.
 Uses, 652
 Usurpation of Churches.
 Advowson.
 Usury, 654
 Utlawry.
 Addition 1, 2.
 Amendments 3.
 Attaint 41.
 Certificate of the, &c.
 Exigent.
 Process.
 W.
 Wager of Law, 656
 Wages.
 Labourers.
 Walses, ib.
 Avowry 8.
 Amendments 3, 9.
 Certificate of the, &c.
 Chester 2, &c.
 Clergy 21.
 Cordwainers 69.
 Exigent 11, &c.
 Fee-farm Rents 7.
 Service and Sacraments 31, 51
 Ships 24, 42.
 Staple 2.
 Walsingham, 677
 Wapping Marsh, ib.
 Warden of the Fleet.
 Debt.
 Sheriffs 45.
 Warden of the five Ports.

Crown 127.
 Ships 33, 41.
 Warden of the Handicrafts.
 Aliens 8, &c.
 Wards, 678
 Courts 29, 34.
 Crown 141.
 Exchequer.
 Escheators.
 Waste.
 Wardrobe.
 Debt to the King 14.
 Wares, 678
 Warrens.
 Felony 5.
 Hunters.
 Mortmain 10.
 Warrant, 678
 Aid of the King.
 Warranty of Charters.
 Days in Bank 20.
 War, 679
 Armour 2.
 Debt to the King 14.
 Forfeiture 9.
 Musters.
 Taxes 15.
 Waste, 680
 Estreplement.
 Wastes.
 Approvements.
 Watches, 681
 Watering of Hemp and Flax.
 Flax.
 Watermen.
 Passage 6, &c.
 Wax, 682
 Wears, 683
 Fish 23, &c.
 Havens 7.
 Weights and Measures, 685
 Clerk of the Market.
 Coopers.
 Customs 2.
 Trade 1.
 Woolles 2, 4.
 Westmerland.
 Cern 8.
 Westminster.

The TABLE

Butter 4.
 White-Adzes, 696
 White-Gate, 1b.
 White Hall,
 Palace.
 Widows.
 Women.
 Wild-fowl, 697
 Mills, 1b.
 Appeals to Rome.
 Frauds 17, 18, &c. 29, &c.
 Probat.
 Wilton upon Wic.
 Bridges 14.
 Mines, 702
 Customs 27, 65, 78, &c.
 Gaging.
 Money 57.
 President of the Council.
 Ships.
 Witness, 706
 Armour 9.
 Bankrupts 21.
 Trial 1.
 Wood, 707
 Cordwainers 36, 37.
 Wooll, 711
 Actions Popular 10.
 Burials 2.
 Customs 1, 2, 3, 9.
 Drapery 69, 82, 109.
 Exigent 5.
 Merchants 18, 21, 62.
 Ships.
 Staple.
 Taxes 4.
 Wooll-Cards.
 Merchants 94.
 Wooll-fells.
 Actions Popular 10.
 Customs 1, 2, 3.
 Merchants 18.
 Staple.
 Taxes 4.
 Women, Widows, Wives and
 Maids, 717
 Age 6.

Appeals 1.
 Crown 77, 80, 88, 95, 107, 125,
 126, 134, 136, 144, 150, 152.
 Cui in vita.
 Discontinuance.
 Dower.
 Entry.
 Effoign 7, 13.
 Felony 6.
 Fines 2, 17, &c.
 Leases 1, &c.
 Trials 3.
 Vagabonds.
 Uses 12, 13.
 Wills, 1, 5, 7, 13, 22.
 Wrostedes, 719
 Apprentices.
 Norwich.
 Wreck, 724
 Admiralty.
 Writs, and Abatement of
 Writs, 1b.
 Addition.
 Aid of the King 4.
 Days in bank.
 Error 16, 19.
 View.
 Writ of Assistance.
 Custom 7.
 Writ of Delivery.
 Custom 71.
 Taxes 16.

Y.

Yarn, 725
 Woolls 36, &c. 1b.
 Yarmouth,
 Approvements 11.
 Fish.
 Ships 50.
 Wrostedes 32.
 York, 726
 Books 27.
 Corn 8.

An

An Exact TABLE of the Year and Chapter of every
STATUTE in force and use; which Year and Chap-
ter being known and found in this Table, the respec-
tive Title answering thereunto, will direct you to
the Statute it self, as you shall find it exprest in
the premised Abridgment, and where you shall there-
in find any Chapters omitted, they are either Repeal-
ed or Expired, or otherwise obsolete, and out of use.

Magna Charta, 9 H. 3.

1 Franchise.

2 Relief.

4 Waste.

5 Waste.

7 Women, &c.

8 Debt to the King.

9 Franchises.

10 Tenure.

11 Common-Pleas.

12 Assizes.

13 Darrein presentment.

14 Amerciament.

15 Banks.

16 Banks.

17 Pleas of the Crown.

18 Debt to the King.

19 Castles, &c.

20 Castles, &c.

21 Parveyors.

22 Forfeitures.

23 Wears.

24 Right.

25 Weights, &c.

26 Fines to the King.

28 Wager of Law.

29 Accusation.

30 Merchants.

31 Tenure.

32 Tenure.

33 Vacation of Bishopricks.

34 Appeals.

35 County and Turn.

36 Mortmain.

37 Escuage, Franchises.

Charta de Foresta.

3 H. 9. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 15, 16. Foresta.

Herton, 20 H. 3.

1 Dower.

2 Wells.

3 Re-disseisin.

4 Approvements.

8 Limitation.

9 Bastardy.

10 Attorney.

11 Forst.

De Anno Bissextili, 21 H. 3.

Days in Bank.

Misa panis & cerevisie, 51 H. 3.

Weights.

Dies communes in banco,

51 H. 3. Days in Bank.

Dies communes in dote, 51 H. 3.

Days in Bank.

Statutum de Scaccario, 51 H. 3.

Distresses, Exchequer.

Judicium collistrigii, 51 H. 3.

Weights.

De ponderibus & mensuris,

51 H. 3. Weights.

De tallagio non concedendo,

51 H. 3. Franchises, Taxes.

Marlbridge, 52 H. 3.

1 Distresses.

2 Distresses.

3 Distresses.

4 Distresses.

5 Confirmation.

The second T A B L E.

- 8 Rediffin.
- 9 Dist.
- 10 County and Turn.
- 11 Beau-pleader.
- 12 Days in Bank.
- 13 Efoign.
- 14 Jurors.
- 15 Distresses.
- 16 Mortdancestor.
- 17 Wards.
- 18 Amerciaments.
- 19 Efoign.
- 20 False judgment.
- 21 Replevin.
- 22 Freehold.
- 23 Account, Waste.
- 24 Justices in Eyre.
- 25 Murder.
- 26 Voucher.
- 27 Mainprize.
- 28 Monasteries.
- 29 Entry and Writs of Entry.

Stat. of E. I.

Westminster, 1. 3 E. 1.

- 1 Monasteries.
- 2 Clergy.
- 3 Escape.
- 4 Wreck.
- 5 Election.
- 6 Amerciaments.
- 7 Castles.
- 8 Beau-pleader.
- 9 Robberies.
- 10 Coroners.
- 11 Odio & Atia.
- 12 Felony.
- 13 Rape.
- 14 Appeals.
- 15 Mainprize.
- 16 Distresses.
- 17 Distresses.
- 18 Justices in Eyre.
- 19 Debt to the King.
- 20 Forests.
- 23 Debt.
- 24 Affizes.
- 25 Champerty.
- 26 Extortion.

- 27 Extortion.
- 28 Maintenance.
- 29 Deceit, Extortion.
- 30 Tolls.
- 32 County and Turn.
- 33 News.
- 34 Arrests.
- 35 Reasonable aid.
- 36 Affizes.
- 37 Attains.
- 38 Limitation.
- 39 Voucher.
- 40 Battail.
- 41 Efoign.
- 42 Efoign.
- 43 Efoign.
- 44 Estreats.
- 45 Justices of the Benches.
- 46 Age.
- 47 Prochein Amy.
- 48 Affizes, Dower, Pra. Reg. I.

Extents of Manors, 4 E. 1. Surveyors.

The Office of Coroners, 4 E. 1. Coroner.

The Statute of Bigamy.

- 1 Aid of the King.
- 2 Aid of the King.
- 3 Aid of the King.
- 4 Purprestures.
- 5 Clergy.
- 6 Warranty.

Gloucester, 6 E. 1.

- 1 Damages and Costs.
- 2 Age.
- 3 Warranty.
- 4 Cessavit.
- 5 Waste.
- 6 Mortdancestor.
- 7 Entry and Writs of Entry.
- 8 Trespass.
- 9 Appeals, Pardon.
- 10 Efoign.
- 11 Recert.
- 12 Voucher.

13 Estrep.

The second T A B L E

- 13 *Estrepement.*
- 14 *Damages and Costs.*
- 15 *Wines.*

*Exposition upon the Statute
of Gloucester 6 E. 1. Age,
Damages and Costs.*

*Against bearing Arms, 7 E. 1.
Armour.*

*A Statute of Religious Men,
7 E. 1. Mortmain.*

*The Stat. of Rutland, 10 E. 1.
Exchequer.*

*The Statute of Aton Bur-
nel, 11 E. 1. Recognizance.*

*The Statute of Wales, 12 E.
1. Wales.*

Westminster, 2 E. 3.

- 1 *Tail.*
- 2 *Replevin.*
- 3 *Cui in vita.*
- 4 *Dower.*
- 5 *Advowson.*
- 6 *Voucher.*
- 7 *Admeasurement of Dower.*
- 8 *Admeasurement of Pasture.*
- 9 *Mesne.*
- 10 *Attorney, Justices in Eyre.*
- 11 *Account.*
- 12 *Appeals, Essoign.*
- 13 *Indictments.*
- 14 *Waste.*
- 15 *Prochein Amy.*
- 17 *Essoign.*
- 18 *Execution.*
- 19 *Ordinaries.*
- 20 *Cofinage, &c.*
- 21 *Cessavit.*
- 22 *Waste.*
- 23 *Executors.*
- 24 *Nuisance, Quod permittat,
Writs, &c.*
- 25 *Affizes.*
- 26 *Re-dissaisin.*

- 27 *Essoign.*
- 28 *Essoign.*
- 29 *Oyer and Terminer.*
- 30 *Exception.*
- 31 *Mortmain.*
- 32 *County and Turn.*
- 33 *Crosses.*
- 34 *Rape.*
- 35 *Wards.*
- 36 *Distresser.*
- 37 *Distresses.*
- 38 *Furors.*
- 39 *Return of Sheriffs.*
- 40 *Age.*
- 41 *Contra formam Collat.*
- 42 *Fees.*
- 43 *Citation.*
- 44 *Fees.*
- 45 *Execution.*
- 46 *Approvements.*
- 47 *Fish, Fishers.*
- 48 *View.*
- 49 *Champerty, Writs.*

*The Statute-Merchant, 13 E.
1. Recognizance.*

*The Statute of Winchester,
13 E. 1. Fairs, Robberies.*

*Circumspete agatis, 13 E. 1.
Prohibition.*

*The Statute of Eton, 14 E.
1. Coroner.*

*The Ordinance for Ireland,
17 E. 1. Ireland.*

*Quia emptores terrarum, or
Westminster 3. 18 E. 1. Tenure*

*Quo Warranto, 18 E. 1. Fran-
chises.*

*The Stat. for ledding Fines,
19 E. 1. Fines.*

*The Stat. of Vouchers, 20
E. 1. Vouchers. The*

The second TABLE.

The Statute of great and small Money, 20 E. 1. Money.	13 <i>Sheriffs.</i>
The Statute of defending Rights, 20 E. 1. Champerty, Receipts.	14 <i>Hundreds.</i>
The Statute of Inquests of Lands, 20 E. 1. Jurors.	15 <i>Process.</i>
The Statute of Persons put in Affizes, 20 E. 1. Jurors.	16 <i>Return of Sheriffs.</i>
The Statute of Trespassers in Parks, 21 E. 1. Forests.	17 <i>Robberies.</i>
Distractiones Scaccarii, 21 E. 1. Distresses.	18 <i>Waste.</i>
The Statute of Conspirators, 21 E. 1. Champerty.	19 <i>Gold, Silver, &c.</i>
The Statute of Consultation, 24 E. 1. Prohibition.	The Statute of Appeal, 28 E. 1. Appeals.
Confirmation of Charters, 25 E. 1. Confirmation.	The Statute of Cheaters, 29 E. 1. Livery, &c.
The Statute of Purchasing Liberty, 27 E. 1. Mortmain.	A new Statute of Quo Warranto, 30 E. 1. Franchises.
The Statute of Fines levied, 27 E. 1. Fines; Justices of G. D. Nisi prius, Sheriffs.	The Statute of Bakers and Brewers, 31 E. 1. Butchers, Weights.
Articuli super chartas, 28 E. 1.	The Statute of Protection, 33 E. 1. Protection.
1 <i>Confirmation.</i>	A Statute for definition of Conspirators, 33 E. 1. Conspiracy, Champerty.
2 <i>Purveyors.</i>	Orders for Inquests, 33 E. 1. Challenge.
3 <i>Marshalsea.</i>	An Ordinance of the Forest, 33 E. 1. Forests.
4 <i>Common Pleas.</i>	Another of the same, 34 E. 1. Forests.
5 <i>Chancery.</i>	A Stat. for measuring Land, 34 E. 1. Weights.
6 <i>Seals.</i>	A Statute of Joint-tenants, 34 E. 1. Affizes.
7 <i>Dover.</i>	A Statute for amortisement of Lands, 34 E. 1. Mortmain.
8 <i>Sheriffs.</i>	A Statute for certain Liberties, 34 E. 1. Franchises.
9 <i>Distresses, Jurors.</i>	
10 <i>Conspiracy.</i>	
11 <i>Champerty.</i>	
12 <i>Debt to the King.</i>	

A Sta-

The second T A B L E.

**A Statute of Religious Per-
sons, 25 E. 1. Church-yards.**

Statutes of E. 2.

**A Statute for Knights, 1 E. 2.
Knights.**

**A Statute for breaking Pri-
sons, 1 E. 2. Felony.**

Articuli Cleri, 9 E. 2.

1 Prohibition.

2 Prohibition.

3 Prohibition.

4 Prohibition.

5 Prohibition.

6 Jurisdiction.

7 Residence.

8 Monasteries.

9 Appeal.

10 Monasteries.

11 Excommunication.

12 Ability.

13 Election.

14 Clergy.

15 Clergy.

**A Statute of Gabelet in Lon-
don, 20 E. 2. London.**

The Statute of Poth, 12 E. 2.

1 Affizes.

2 Witness.

3 Nisi prius.

4 Nisi prius.

5 Return of Sheriffs.

6 Victual, &c.

**The Stat. of Effoigns, 12 E. 2.
Effoign.**

**View of Land and Effoign, of
the Kings Service, 12 E. 2.
Effoign, View.**

**Westminster 4. of Attaints and
Green-war, 13 E. 2. Attaint,
Sheriffs.**

**A Statute for Excheats of the
Exchequer, 15 E. 2. Excheats.**

Prerogativa Regis, 17 E. 2.

3 Primer Seisin.

4 Women, &c.

5 Partition.

7 Alienation without Licence.

8 Advowson.

9 Fools, Lunaticks, &c.

10 Fools, Lunaticks, &c.

11 Wreck.

12 Intrusion.

13 Forfeiture.

14 Patents 18.

15 Forfeiture.

**The Stat. of Homage, 17 E. 2.
Homage.**

**A Stat. for Templers, 17 E. 2.
Templers.**

**View of Frankpledge, 18 E. 2.
Lest.**

**A Stat. for the Oath of the
King, Bishops, &c. Oath.**

**De Restores prosterant, &c.
Church-yards.**

Articles upon Money, Money.

**A Statute for Justices of As-
sise, Justices of Assize.**

**A Stat. for Cels and Perches,
Weights.**

**A Stat. of Chattels of Fe-
lons, Forfeiture.**

Statutes of 1 E. 3. Stat. 1.

4 False Judgment.

5 Return of Sheriffs.

6 Attaint.

7 Prison, &c.

8 Forest.

1 E. 3.

The second TABLE.

1 E. 3. Stat. 2.

- 1 Forests.
- 2 Bishops, Forests.
- 5 Armour.
- 6 Trade.
- 7 War.
- 8 Beau-pleader.
- 9 Franchises.
- 10 Monasteries.
- 11 Prohibition.
- 12 Tenure.
- 13 Tenure.
- 14 Maintenance.
- 16 Justices of Peace.
- 17 Indictments.

2 E. 3.

- 1 Confirmation.
- 2 Justices of Goal delivery,
Oyer and Terminer, Pardon.
- 3 Armour.
- 4 Sheriffs.
- 5 Return of Sheriffs.]
- 6 Peace.
- 7 War.
- 8 Justice and Right, &c.
- 9 Staple.
- 11 Adjournment.
- 12 Sheriffs.
- 15 Fairs and Markets.
- 16 Nisi prius.
- 17 Deceit.

4 E. 3.

- 1 Confirmation.
- 2 Justices of G. D.
- 7 Executors.
- 9 Sheriffs.
- 10 Sheriffs.
- 11 Nisi prius.
- 12 Wines.
- 13 Pardon.
- 15 Parliament.
- 16 Sheriffs.

5 E. 3.

- 1 Confirmation.
- 2 Error, Marshalsea.
- 4 Sheriffs.

5 Fairs and Markets.

- 6 Attaint.
- 7 Attaint.
- 8 Prison, &c.
- 9 Accusation.
- 10 Jurors.
- 11 Process.
- 12 Exigent and Utlawry.
- 13 Exigent and Utlawry.
- 14 Robberies.

9 E. 3. Stat. 1.

- 1 Merchant.
- 2 Nonplewin.
- 3 Executors.
- 4 Trial.
- 5 Records.

9 E. 3. Stat. 2.

- 1 Money.
- 2 Money.
- 3 Money.
- 4 Money.
- 5 Money.
- 6 Money.
- 7 Exchange.
- 8 Prison.
- 9 Money.
- 10 Money.
- 11 Money.
- 12 Excommunication.

10 E. 3. Stat. 1.

- 1 Confirmation.
- 2 Pardon.
- 3 Pardon.

10 E. 3. Stat. 2.
Of Purveyors.

- 2 Marshalsea.
- 3 Error.

11 E. 3.

- 3 Drapery.
- 5 Drapery.

14 E. 3. Stat. 1.

- 1 Confirmation, Franchises.
- 4 Englishbire,

5 Judge.

The second TABLE.

- 5 Judgment.
- 6 Amendments.
- 7 Sheriffs.
- 8 Escheators, Coroners.
- 9 Sheriffs.
- 10 Prison, &c.
- 11 Recognizance, &c.
- 12 Weights.
- 14 Aid of the King.
- 15 Pardon.
- 16 Nisi prius.
- 17 Parson, &c.
- 18 Voucher, &c.
- 21 Customs, &c.

14 E. 3. Stat. 2.
2 Merchants.

14 E. 3. Stat. 3.
3 Bishops.
4 Vacations of Bishopricks.
5 Vacations of Bishopricks.

14 E. 3. Stat. 4.
1 That England shall not be
subject to France. Crown.

18 E. 3. Stat. 1.
1 Exigent and Utlawry.

18 E. 3. Stat. 2.
2 Justices of Peace.
3 Sea.
5 Exigent and Utlawry.
6 Money.
7 War.

18 E. 3. Stat. 3.
3 Clergy, Mortmain.
5 Prohibition.
6 Ordinaries.
7 Titles.
8 Justice and right, &c.

18 E. 3. Stat. 4.
1 Justice, &c.
2 Clerks of the Chancery.

20 E. 3.

- 1 Justice and right, &c.
- 2 Justice and right, &c.
- 3 Justice and right, &c.
- 4 Maintenance.
- 5 Maintenance.
- 6 Justices of Assize.

23 E. 3.

6 Victual, &c.

25 E. 3. Stat. 2.

1 Ability.

25 E. 3. Stat. 3.

- 1 Franchises.
- 2 Franchises.
- 3 Advowson.
- 4 Clergy.
- 5 Clergy.
- 6 Bishops.
- 7 Advowson.
- 8 Jurisdiction.
- 9 Ordinaries.

25 E. 3. Stat. 4.

- 1 Drapery.
- 2 Merchants.
- 4 Wares.

25 E. 3. Stat. 5.

- 2 Treason.
- 3 Jurors.
- 4 Accusation.
- 5 Executors.
- 7 Forests.
- 8 War.
- 9 Weights.
- 10 Weights.
- 11 Reasonable aid.
- 12 Exchange.
- 13 Money.
- 14 Indictments.
- 16 Non-tenure.
- 17 Process.
- 18 Villainage.
- 19 Protection.
- 20 Money.
- 21 Butler of the King.
- 22 Proviso.

25 E. 3.

The second TABLE.

1 E. 3. Stat. 2.

- 1 Forests.
- 2 Bishops, Forests.
- 5 Armour.
- 6 Trade.
- 7 War.
- 8 Beau-pleader.
- 9 Franchises.
- 10 Monasteries.
- 11 Prohibition.
- 12 Tenure.
- 13 Tenure.
- 14 Maintenance.
- 16 Justices of Peace.
- 17 Indictments.

2 E. 3.

- 1 Confirmation.
- 2 Justices of Goal delivery, Oyer and Terminer, Pardon.
- 3 Armour.
- 4 Sheriffs.
- 5 Return of Sheriffs.]
- 6 Peace.
- 7 War.
- 8 Justice and Right, &c.
- 9 Staple.
- 11 Adjournment.
- 12 Sheriffs.
- 15 Fairs and Markets.
- 16 Nisi prius.
- 17 Deceit.

4 E. 3.

- 1 Confirmation.
- 2 Justices of G. D.
- 7 Executors.
- 9 Sheriffs.
- 10 Sheriffs.
- 11 Nisi prius.
- 12 Wines.
- 13 Pardon.
- 15 Parliament.
- 16 Sheriffs.

5 E. 3.

- 1 Confirmation.
- 2 Error, Marshalsea.
- 4 Sheriffs.

5 Fairs and Markets.

- 6 Attaint.
- 7 Attaint.
- 8 Prison, &c.
- 9 Accusation.
- 10 Jurors.
- 11 Process.
- 12 Exigent and Utlawry.
- 13 Exigent and Utlawry.
- 14 Robberies.

9 E. 3. Stat. 1.

- 1 Merchant.
- 2 Nonplevin.
- 3 Executors.
- 4 Trial.
- 5 Records.

9 E. 3. Stat. 2.

- 1 Money.
- 2 Money.
- 3 Money.
- 4 Money.
- 5 Money.
- 6 Money.
- 7 Exchange.
- 8 Prison.
- 9 Money.
- 10 Money.
- 11 Money.
- 12 Excommunication.

10 E. 3. Stat. 1.

- 1 Confirmation.
- 2 Pardon.
- 3 Pardon.

10 E. 3. Stat. 2.
Of Purveyors.

- 2 Marshalsea.
- 3 Error.

11 E. 3.

- 3 Drapery.
- 5 Drapery.

14 E. 3. Stat. 1.

- 1 Confirmation, Franchises.
- 4 Englishbire.

5 Judge.

The second TABLE.

- 5 Judgment.
- 6 Amendments.
- 7 Sheriffs.
- 8 Escheators, Coroners.
- 9 Sheriffs.
- 10 Prison, &c.
- 11 Recognizance, &c.
- 12 Weights.
- 14 Aid of the King.
- 15 Pardon.
- 16 Nisi prius.
- 17 Parson, &c.
- 18 Voucher, &c.
- 21 Customs, &c.

14 E. 3. Stat. 2.

2 Merchants.

14 E. 3. Stat. 3.

3 Bishops.

4 Vacations of Bishopricks.

5 Vacations of Bishopricks.

14 E. 3. Stat. 4.

1 That England shall not be subject to France. Crown.

18 E. 3. Stat. 1.

1 Exigent and Utlawry.

18 E. 3. Stat. 2.

2 Justices of Peace.

3 Sea.

5 Exigent and Utlawry.

6 Money.

7 War.

18 E. 3. Stat. 3.

3 Clergy, Mortmain.

5 Prohibition.

6 Ordinaries.

7 Titles.

8 Justice and right, &c.

18 E. 3. Stat. 4.

1 Justice, &c.

2 Clerks of the Chancery.

- 20 E. 3.
- 1 Justice and right, &c.
 - 2 Justice and right, &c.
 - 3 Justice and right, &c.
 - 4 Maintenance.
 - 5 Maintenance.
 - 6 Justices of Assize.

23 E. 3.

6 Victual, &c.

25 E. 3. Stat. 2.

1 Ability.

25 E. 3. Stat. 3.

- 1 Franchises.
- 2 Franchises.
- 3 Advowson.
- 4 Clergy.
- 5 Clergy.
- 6 Bishops.
- 7 Advowson.
- 8 Jurisdiction.
- 9 Ordinaries.

25 E. 3. Stat. 4.

- 1 Drapery.
- 2 Merchants.
- 4 Wares.

25 E. 3. Stat. 5.

- 2 Treason.
- 3 Jurors.
- 4 Accusation.
- 5 Executors.
- 7 Forests.
- 8 War.
- 9 Weights.
- 10 Weights.
- 11 Reasonable aid.
- 12 Exchange.
- 13 Money.
- 14 Indictments.
- 16 Non-tenure.
- 17 Process.
- 18 Villainage.
- 19 Protection.
- 20 Money.
- 21 Butler of the King.
- 22 Proviso.

25 E. 3.

The second TABLE.

25 E. 3. Stat. 6.
1 *Proviso.*

27 E. 3. Stat. 1.
1 *Proviso.*
2 *Pardon.*
4 *Drapery.*
5 *Wines.*
8 *Gaging.*

27 E. 3. Stat. 2.
1 *Staple.*
2 *Merchants, Wooll.*
3 *Staple.*
4 *Staple.*
5 *Staple.*
6 *Staple.*
7 *Staple.*
8 *Staple.*
9 *Staple.*
10 *Weights.*
11 *Merchants.*
13 *Merchants.*
14 *Gold and Silver, &c.*
15 *Staple.*
16 *Staple.*
17 *Merchants.*
18 *Staple.*
19 *Staple.*
20 *Staple.*
21 *Staple.*
22 *Staple.*
23 *Staple.*
24 *Staple.*
25 *Staple.*
26 *Merchants.*
27 *Staple.*
28 *Monasteries.*

28 E. 3.
1 *Confirmation.*
2 *Wales.*
3 *Accusation.*
4 *Livery, &c.*
5 *Iron.*
6 *Coroner.*
7 *Sheriffs.*
8 *Attaint.*
9 *Sheriffs.*

10 *London.*
11 *Robberies.*
13 *Staple.*

31 E. 3. Stat. 1.
1 *Confirmation.*
2 *Wooll.*
3 *Forfeitures.*
4 *Probat of Test.*
5 *Gaging.*
8 *Wooll.*
9 *Wooll.*
10 *Virtual, &c.*
11 *Administrators.*
12 *Error.*
14 *Escape.*
15 *County and Turn.*

31 E. 1. Stat. 2.
1 *Fish, Fishers, &c.*
2 *Fish, Fishers, &c.*
3 *Fish, Fishers, &c.*

31 E. 3. Stat. 3.
1 *Fish, Fishers, &c.*
2 *Fish, Fishers, &c.*

34 E. 3.
1 *Justices of Peace.*
4 *Jurors.*
7 *Attaint.*
8 *Jurors.*
12 *Forfeiture.*
13 *Escheators.*
14 *Escheators.*
15 *Tenure.*
16 *Fines.*
17 *Ireland.*
18 *Ireland.*
19 *Wooll.*
22 *Hawks.*

35 E. 3.
1 *Fish, Fishers, &c.*

36 E. 3.
1 *Confirmation.*
9 *Chancery.*
10 *Parliament.*

11 *Wooll.*

The second TABLE.

- 11 Wooll.
- 12 Justice of Peace.
- 13 Escheators.
- 15 Declaration, Pleading.

37 E. 3.

- 1 Confirmation.
- 2 Identitate nominis.
- 4 Exchequer.
- 7 Gold, Silver, &c.
- 16 Wines.
- 17 Villainage.
- 18 Accusation.
- 19 Hawks.

38 E. 3. Stat. 1.

- 1 Confirmation.
- 2 Merchants, Money.
- 3 Fines.
- 4 Obligations.
- 5 Wager of Law.
- 6 Wooll.
- 7 Staple.
- 8 Ships.
- 9 Accusation.
- 10 Wines.
- 11 Wines.
- 12 Decies tantum.

42 E. 3.

- 1 Confirmation.
- 3 Accusation.
- 4 Commission, &c.
- 5 Escheators.
- 9 Estreats, Sheriffs.
- 10 Ability.
- 11 Pannel.

43 E. 3.

- 1 Wooll.
- 2 Wines.
- 3 Butler of the King.

45 E. 3.

- 1 Confirmation.
- 2 Wears.
- 3 Prohibition.
- 4 Wooll.

50 E. 3.

- 1 Confirmation.
- 2 Confirmation.
- 3 Arrests.
- 4 Prohibition.
- 5 Arrests.
- 6 Fraudulent Conveyances.
- 7 Drapery.
- 8 Drapery.

Stat. of 1 R. 2.

- 1 Confirmation.
- 2 Peace.
- 4 Maintenance.
- 5 Exchequer.
- 7 Liveries of Companies.
- 8 Protection.
- 9 Feoffments.
- 11 Sheriffs.
- 12 Debt.
- 13 Dures.
- 14 Tythes.
- 15 Arrests.

2 R. 2. Stat. 1.

- 1 Merchant.
- 5 News.

2 R. 2. Stat. 2.

- 1 Confirmation.
- 3 Debt.

3 R. 2.

- 1 Confirmation.
- 2 Drapery.
- 3 Proviso.

4 R. 2.

- 1 Gaging.
- 1 Confirmation.
- 2 Money.
- 3 Ships.
- 7 Forcible entry.
- 9 Exchequer.
- 10 Captains, &c.
- 11 Exchequer.
- 12 Exchequer.
- 13 Exchequer.
- 14 Exchequer.

15 E.

The Second TABLE.

15 Exchequer.
16 Exchequer.

5 R. 2. Stat. 2.

1 Merchants.
4 Parliament.

6 R. 2. Stat. 1.

1 Confirmation, Franchises.
2 Writs.

3 Nuisance.
4 Inrolments.
5 Justices of Assize.
6 Rape.
7 Wines.
8 Ships.
9 Victual, &c.
10 Victual, &c.

7 R. 7.

1 Franchises.
2 Confirmation.
3 Forests.
4 Forests.
6 Robberies.
7 Nisi prius.
9 Drapery.
10 Assizes.
12 Proviso.
13 Armour.
14 Attorney.
15 Maintenance

8 R. 2.

2 Confirmation.
3 Justices of Assize.
4 Recognizance.

9 R. 2.

1 Confirmation.
2 Villainage.
3 Attaint.
5 Marshalsea.

11 R. 2.

7 Merchants.
8 Patents.
9 Taxes.
10 Seals.
11 Justices of Assize.

12 R. 2.

1 Confirmation.
2 Officers.
10 Justices of Peace.
11 News.
12 Parliament.
13 Infections.
15 Proviso.
16 Staple.

13 R. 2. Stat. 1.

1 Incumbent.
2 Constable.
3 Marshalsea.
4 Clerk of the Market.
5 Admiralty.
6 Serjeant at Arms.
7 Justices of Peace.
8 Victual.
9 Weights, Wooll.
10 Drapery.
11 Drapery.
13 Hunters and Hunting.
14 Exchequer.
15 Prison, &c.
16 Protection.
17 Receipt.
18 Attaint.
19 Fish, Fishers, &c.

13 R. 2. Stat. 2.

1 Pardon.
2 Proviso.
3 Proviso.

14 R. 2.

1 Staple.
2 Exchange.
3 Staple.
4 Staple.
5 Ships.
8 Gaging.
9 Merchants.
10 Customs, &c. Officers.
11 Justices of Peace.

15 R. 2. Stat. 1.

1 Confirmation.
2 Forcible Entry.

The second T A B L E.

- 3 Admiralty.
- 4 Weights.
- 5 Mortmain.
- 6 Appropriations.
- 9 Staple.
- 12 Freehold.

16 R. 2.

- 1 Merchants.
- 2 Drapery.
- 3 Weights.
- 5 Proviso.

17 R. 2.

- 1 Money.
- 2 Drapery.
- 3 Worsted.
- 4 Male.
- 5 Officers.
- 6 Accusation.
- 8 Ryots, &c.
- 9 Fish, Fishers, &c.
- 10 Justices of G. D.

17 R. 2.

- 1 Armour.
- 3 Justices of Assize.
- 4 Merchants.
- 5 Horses, &c.

Statutes of 1 H. 4.

- 1 Confirmation.
- 4 Confirmation.
- 6 Patents.
- 8 Assizes.
- 10 Towns.
- 11 Sheriffs.
- 12 Wears.
- 13 Officers.
- 14 Appeals.
- 15 London.
- 18 Chester, &c.

2 H. 4.

- 1 Confirmation, Franchises.
- 3 Proviso.
- 4 Proviso.
- 5 Money.

- 7 Non-suit.
- 9 Chirographers.
- 10 Clerks of the Crown.
- 11 Admiralty.
- 23 Marshalsea.

4 H. 4.

- 1 Confirmation.
- 2 Clergy, Spirituality.
- 3 Clergy, Spirituality.
- 5 Sheriffs.
- 7 Feoffments.
- 8 Assizes.
- 9 Commission.
- 10 Money.
- 11 Wears.
- 12 Appropriations.
- 13 War.
- 15 Merchants.
- 18 Attorney.
- 19 Attorney.
- 20 Customs, &c. Officers, Ships.
- 22 Incumbent.
- 23 Judgment.
- 24 Drapery.

4 H. 4.

- 2 Pardon.
- 3 Watches.
- 4 Felony.
- 5 Felony.
- 6 Assault.
- 7 Merchants.
- 8 Wager of Law.
- 9 Merchants.
- 10 Prison, &c.
- 11 Tithes.
- 12 Recognizance.
- 13 Gold, Silver, &c.
- 14 Fines.

6 H. 4.

- 3 Account.
- 4 Merchants.

7 H. 4.

- 1 Confirmation.

The second T A B L E.

- 2 Crown.
- 3 Estreats.
- 4 Protection.
- 7 Arrow-heads.
- 8 Proviso.
- 9 Merchants.
- 11 Commission, &c.
- 13 Attorney.
- 15 Parliament.

9 H. 4.

- 1 Confirmation.
- 2 Drapery.
- 4 Wales.
- 5 Conusance.
- 7 Taxes.

11 H. 4.

- 1 Parliament.
- 2 Customs, &c.
- 3 Justices of Assize.
- 5 Money.
- 6 Drapery.
- 8 Exchange.
- 9 Indictment.

13 H. 4.

- 1 Confirmation.
- 5 Officers.
- 6 Money.
- 7 Riots.

Statutes of 1 H. 5.

- 1 Parliament.
- 2 Weirs.
- 3 Ireland.
- 4 Sheriffs.
- 5 Addition.
- 10 Weights.

2 H. 5. Stat. 1.

- 1 Hospitals, &c.
- 2 Corpus cum causa, &c.
- 3 Libel.
- 4 Justices of Peace.
- 5 Tindale.
- 6 Breakers of Leagues, &c.
- 7 Ryots, &c.
- 8 Ryets, &c.

2 H. 5. Stat. 2.

- 1 Justices of Peace.
- 3 Jurors.
- 4 Gold, Silver, &c.
- 5 Wales.
- 6 Wooll.

3 H. 5.

- 1 Confirmation.
- 4 Proviso.
- 5 Attaint.
- 6 Money.
- 7 Money.

4 H. 5.

- 1 Confirmation.
- 2 Sheriffs.
- 5 Merchants.

7 H. 5.

- 1 Conspiracy.

8 H. 5.

- 2 Wooll.
- 3 Gold, Silver, &c.

9 H. 5. Stat. 1.

- 1 Conspiracy.
- 4 Amendments.
- 7 Tindale.
- 10 Newcastle.
- 11 Money.

Statutes of 1 H. 6.

- 1 Money.

2 H. 6.

- 1 Confirmation.
- 2 Hospitals.
- 6 Money.
- 8 Ireland.
- 9 Money.
- 10 Offices.
- 11 Weights.
- 12 Money.
- 14 Gold, Silver, &c.
- 15 Havens and Rivers.

3 H. 6.

The second T A B L E.

3 H. 6.

- 1 Masons.
- 2 Sheep.
- 3 Customs, &c.
- 4 Butter.

4 H. 6.

- 3 Amendments.

6 H. 6.

- 1 Process.
- 2 Affizes.
- 4 Parliament.
- 5 Sewers.

8 H. 6.

- 1 Parliament.
- 3 Sewers.
- 5 Weights.
- 7 Parliament.
- 9 Forcible entry.
- 10 Process.
- 12 Amendments.
- 13 Amendments.
- 14 Ryots, &c.
- 16 Escheators.
- 22 Wooll.
- 23 Yarn.
- 26 Conusance.
- 27 Passage.
- 28 Bridges.
- 29 Trial.

9 H. 6.

- 4 Identitate nominis.
- 5 Passage.
- 6 Weights.
- 8 Weights.
- 11 Bastardy.

10 H. 6.

- 1 Staple.
- 2 Parliament.
- 4 Appearance.
- 6 Process.
- 8 Justices of the Benches.

11 H. 6.

- 1 Affizes.

3 Feoffments.

- 4 Attaint.
- 5 Waste.
- 6 Discontinuance of Process.
- 8 Weights.
- 9 Drapery.
- 10 Recognizance.
- 11 Assault.
- 12 Wax.
- 15 Customs, &c.

14 H. 6.

- 1 Nisi prius.
- 3 Justices of Affize.
- 4 Justices of Peace.
- 5 Wooll.

15 H. 6.

- 1 Marshalsea.
- 3 Safe Conduct.
- 4 Accusation.
- 5 Attaint.
- 8 Ships.

18 H. 6.

- 1 Patent.
- 2 Attaint.
- 3 Butter.
- 5 Collectors.
- 6 Escheators.
- 7 Escheators.
- 8 Safe Conduct.
- 9 Appearance.
- 10 Sewers.
- 11 Justices of Peace.
- 12 Conspiracy.
- 17 Gaging.
- 18 Captains, &c.
- 19 Captains, &c.

20 H. 6.

- 1 Safe Conduct.
- 4 Customs, &c.
- 5 Customs, &c.
- 8 Purveyors.
- 9 Trial.

23 H. 6.

- 7 Northumberland.
- Ccc 2 8 Sheriffs.

The second TABLE.

- 8 Sheriffs.
- 9 Sewers.
- 10 Sheriffs.
- 11 Parliament.
- 13 Victual, &c.
- 15 Parliament.
- 16 Gaging.
- 17 Escheators.
- 18 Wines.

27 H. 6.

- 5 Fairs and Markets.

28 H. 6.

- 5 Extortion.

29 H. 6.

- 1 York.

31 H. 6.

- 4 Aliens.
- 5 Officers.
- 9 Women, &c.

33 H. 6.

- 1 Executors.
- 2 Lancaster.
- 7 Attorney.

39 H. 6.

Statutes of E. 4.

- 1 Confirmation.
- 2 Sheriffs.

3 E. 4.

- 4 Merchants.

4 E. 4.

- 1 Drapery
- 8 Horners.

7 E. 4.

- 1 Worsted.
- 2 Drapery.
- 3 Drapery.
- 5 Tenure.

8 E. 4.

- 3 Furors.

12 E. 4.

- 1 Sheriffs.
- 2 Bows.
- 6 Sewers.
- 7 Wears.
- 8 Victual, &c.
- 9 Escheators.

14 E. 4.

- 4 Breakers of Leagues.

17 E. 4.

- 1 Merchants.
- 2 Fairs and Markets.
- 4 Tiles.
- 5 Drapery.
- 6 Sheriffs.

22 E. 4.

- 4 Fish, Fishers.
- 6 Swans.
- 7 Forest.
- 8 Berwick.

Statutes of 1 R. 3.

- 1 Uses.
- 2 Taxes.
- 3 Escape, Forfeiture.
- 4 Furors.
- 6 Fairs and Markets.
- 7 Fines.
- 8 Drapery.
- 9 Aliens, Merchants.
- 11 Bows.
- 12 Merchants.
- 13 Weights.
- 14 Account.

Statutes of 1 H. 7.

- 1 Uses.
- 2 Customs, &c.
- 4 Incontinency of Priests.
- 7 Felony.

3 H. 7.

The second TABLE.

3 H. 7.

1 Execution of Statutes.

Indictments.

Justices of Peace.

Murder.

2 Felony.

3 Mainprize.

4 Uses.

7 Customs, &c.

8 Merchants.

9 Fairs and Markets.

10 Damages and Costs.

11 Drapery.

14 Felony.

4 H. 7.

1 Sewers.

2 Gold and Silver.

3 Butchers.

10 Ships.

12 Justices of Peace.

13 Clergy.

14 Seals.

15 Havens and Rivers.

16 Isle of Wight.

20 Actions popular.

24 Fines.

7 H. 7.

1 Captains.

3 Weights.

4 Challenge.

11 H. 7.

1 Forfeiture.

4 Weights.

5 Southampton.

6 Customs.

9 Tindale.

11 Worsteds.

12 Poor People.

13 Houses, &c.

14 Customs, &c.

15 Sheriffs.

16 Sheriffs.

17 Peasants and Partridges.

18 War.

19 Upholsters.

20 Discontinuance.

21 Attaint.

23 Fish, Fishers.

27 Fustians.

12 H. 7.

1 Apprentices.

5 Weight.

6 Merchants.

7 Clergy.

19 H. 7.

6 Money.

7 Brass.

8 Corporation, Taxes.

9 Procefs.

10 Prison, &c.

11 Hunters.

13 Riots, &c.

15 Uses.

18 Passage.

20 Damages and Costs.

21 Silk.

23 Stil-yard.

24 County and Turn.

Stat. of 1 H. 8.

5 Customs, &c.

7 Coronor.

8 Escheator.

9 Stanes.

10 Escheators.

3 H. 8.

5 Captains, &c.

7 Drapery.

8 Victual, &c.

11 Physicians.

14 Oyl.

4 H. 8.

2 Trial.

3 Fjvors.

9 Customs, &c.

7 Brass.

5 H. 8.

2 Drapery.

Ccc 3

5 Dra-

The second TABLE.

- 8 Sheriffs.
- 9 Sewers.
- 10 Sheriffs.
- 11 Parliament.
- 13 Victual, &c.
- 15 Parliament.
- 16 Gaging.
- 17 Escheators.
- 18 Wines.

27 H. 6.

- 5 Fairs and Markets.

28 H. 6.

- 5 Extortion.

29 H. 6.

- 1 York.

31 H. 6.

- 4 Aliens.
- 5 Officers.
- 9 Women, &c.

33 H. 6.

- 1 Executors.
- 2 Lancaster.
- 7 Attorney.

39 H. 6.

Statutes of E. 4.

- 1 Confirmation.
- 2 Sheriffs.

3 E. 4.

- 4 Merchants.

4 E. 4.

- 1 Drapery.
- 8 Horners.

7 E. 4.

- 1 Worsted.
- 2 Drapery.
- 3 Drapery.
- 5 Tenure.

8 E. 4.

- 3 Jurors.

12 E. 4.

- 1 Sheriffs.
- 2 Bows.
- 6 Sewers.
- 7 Wears.
- 8 Victual, &c.
- 9 Escheators.

14 E. 4.

- 4 Breakers of Leagues.

17 E. 4.

- 1 Merchants.
- 2 Fairs and Markets.
- 4 Tiles.
- 5 Drapery.
- 6 Sheriffs.

22 E. 4.

- 4 Fish, Fishers.
- 6 Swans.
- 7 Forest.
- 8 Berwick.

Statutes of 1 R. 3.

- 1 Uses.
- 2 Taxes.
- 3 Escape, Forfeiture.
- 4 Jurors.
- 6 Fairs and Markets.
- 7 Fines.
- 8 Drapery.
- 9 Aliens, Merchants.
- 11 Bows.
- 12 Merchants.
- 13 Weights.
- 14 Account.

Statutes of 1 H. 7.

- 1 Uses.
- 2 Customs, &c.
- 4 Incontinency of Priests.
- 7 Felony.

3 H. 7.

The second T A B L E.

3 H. 7.

1 Execution of Statutes.

Indictments.

Justices of Peace.

Murder.

2 Felony.

3 Mainprize.

4 Uses.

7 Customs, &c.

8 Merchants.

9 Fairs and Markets.

10 Damages and Costs.

11 Drapery.

14 Felony.

4 H. 7.

1 Sewers.

2 Gold and Silver.

3 Butchers.

10 Ships.

12 Justices of Peace.

13 Clergy.

14 Seals.

15 Havens and Rivers.

16 Isle of Wight.

20 Actions popular.

24 Fines.

7 H. 7.

1 Captains.

3 Weights.

4 Challenge.

11 H. 7.

1 Forfeiture.

4 Weights.

5 Southampton.

6 Customs.

9 Tindale.

11 Worsteds.

12 Poor People.

13 Houses, &c.

14 Customs, &c.

15 Sheriffs.

16 Sheriffs.

17 Peasants and Partridges.

18 War.

19 Upbolsters.

20 Discontinuance.

21 Attaint.

23 Fish, Fishers.

27 Fustians.

12 H. 7.

1 Apprentice.

5 Weight.

6 Merchants.

7 Clergy.

19 H. 7.

6 Money.

7 Brass.

8 Corporation, Taxes.

9 Process.

10 Prison, &c.

11 Hunters.

13 Riots, &c.

15 Uses.

18 Passage.

20 Damages and Costs.

21 Silk.

23 Stil-yard.

24 County and Turn.

Stat. of 1 H. 8.

5 Customs, &c.

7 Coronor.

8 Escheator.

9 Stanes.

10 Escheators.

3 H. 8.

5 Captains, &c.

7 Drapery.

8 Victual, &c.

11 Physicians.

14 Oyl.

4 H. 8.

2 Trial.

3 Juries.

9 Customs, &c.

7 Brass.

5 H. 8.

2 Drapery.

The second TABLE.

- 3 Drapery.
- 4 Worsted.
- 5 Furors.
- 6 Physicians.

6 H. 8.

- 4 Exigent and Utlawry.
- 6 Prison.
- 8 Drapery.
- 9 Drapery.
- 10 Sewers.
- 15 Patents.
- 16 Parliament.
- 18 Sheriffs.

7 H. 8.

- 4 Recoveries.

14, 15 H. 8.

- 2 Aliens.
- 3 Worsted.
- 4 Englistmen.
- 6 High-ways.
- 10 Hunters and Hunting.
- 11 Drapery.
- 12 Money.
- 13 Southampton.

21 H. 8.

- 3 Affizes.
- 4 Executors.
- 5 Probate of Test.
- 6 Mortuaries.
- 7 Felony.
- 11 Restitution.
- 12 Cables.
- 13 Residence.
- 15 Recoveries.
- 16 Aliens.
- 18 Newcastle.
- 19 Avowry.
- 20 Execution of Statutes.

22 H. 8.

- 2 Plumstead Marsh.
- 3 Corporatun.
- 5 Bridges.
- 8 Aliens.
- 10 Egyptians.

- 11 Felony.
- 13 Aliens.

23 H. 8.

- 1 Clergy.
- 2 Prison, &c.
- 3 Attaint.
- 4 Coopers.
- 5 Sewers.
- 6 Recognizance.
- 8 Havens and Rivers.
- 9 Citation.
- 10 Mortmain.
- 11 Clergy.
- 12 Passage.
- 13 Furors.
- 14 Process.
- 15 Damages and Costs.
- 17 Wooll.
- 18 Havens and Rivers.

24 H. 8.

- 5 Forfeiture.
- 8 Damages and Costs.
- 11 Paving.
- 12 Appeals to Rome.

25 H. 8.

- 2 Virtual, &c.
- 3 Clergy.
- 5 Worsted.
- 6 Felony.
- 9 Brass.
- 10 Sewers.
- 11 Wild fowl.
- 13 Sheep.
- 15 Books.
- 16 Residence.
- 18 Drapery.
- 19 Rome.
- 20 Rome.
- 21 Rome.

26 H. 8.

- 3 First-fruits, &c.
- 4 Wales.
- 5 Passage.
- 6 Wales.
- 7 High-ways.

8 First.

The second T A B L E.

8 First-fruits.

9 Lynn.

12 Clergy.

13 Treason.

14 Bishops.

15 Richmond.

17 First-fruits.

27 H. 8.

1 Towns.

4 Trial.

5 Chester, &c.

6 Horses.

7 Wales.

8 First-fruits.

10 Uses.

11 Clerks of the Signet.

12 Drapery.

13 Drapery.

14 Cordwainers, &c.

16 Informers.

17 Eccles. Jurisd.

18 Havens and Rivers.

20 Tithes.

23 Havens and Rivers.

24 Franchises.

26 Wales.

27 Monasteries.

28 H. 8.

1 Clergy.

4 Linen-cloth.

5 Corporation.

11 Tithes.

12 Palace.

13 Residence.

14 Weights, Wines.

15 Trial.

16 Dispensation.

31 H. 8.

1 Partition.

2 Fish, Fishers, &c.

3 Customs and Usages.

4 Havens and Rivers.

5 Honours.

6 Ability.

10 Lords.

13 Monasteries.

32 H. 8.

1 Wills.

2 Limitation.

5 Execution.

7 Tithes.

9 Maintenance.

13 Horses, &c.

14 Ships.

16 Aliens.

17 Paving.

18 Towns.

19 Towers.

20 Franchises.

21 Days in bank.

22 First-fruits.

24 Saint John.

28 Leases.

30 Repleader.

32 Partition.

33 Entry lawful.

34 Conditions.

35 Forests.

36 Fines.

37 Rents.

38 Matrimony.

40 Physicians.

42 Physicians.

43 Chester, &c.

47 First-fruits.

33 H. 8.

1 Counterfeit Letters.

3 Drapery.

4 Brass.

6 Cross-Bows.

7 Brass.

9 Plays.

12 Tryal.

13 Chester, &c. Wales.

16 Norwich.

17 Flax and Hemp.

19 Drapery.

20 Treason.

21 Parliament.

22 Escheator.

23 Challenge, Trial.

24 Justices of Assize.

27 Corporation.

C c c 4

28 Re

The second TABLE.

- 28 Residence.
- 29 Ability.
- 32 Whitegate.
- 33 Hull.
- 36 Towns.
- 37 Honors.
- 38 Honors.
- 39 Courts.

34, 35 H. 8.

- 2 Receivers.
- 4 Bankrupts.
- 5 Wills.
- 8 Physicians.
- 9 Havens and Rivers, Severn.
- 10 York.
- 12 Paving.
- 13 Chester, &c.
- 14 Certificate of the, &c.
- 16 Sheriffs.
- 17 First fruits.
- 19 Pensions.
- 20 Recoveries.
- 21 Patents.
- 22 Informers.
- 24 Cambridge, &c.
- 26 Wales.

31 H. 8.

- 1 Crown.
- 2 Treason.
- 4 Towns.
- 6 Furors.
- 9 Wapping-Marsh.
- 10 London.
- 11 Parliament.
- 12 Walsingham.
- 13 Cambridge, &c.
- 16 Wood.

37 H. 8.

- 1 Custos Rotulorum.
- 2 Hounslow-Heath.
- 3 High-ways.
- 4 Monasteries.
- 5 Attaint.
- 6 Burning of Carps, &c.

- 8 Clergy, Indictments.
- 9 Usury.
- 12 Tithes.
- 14 Scarborough.
- 15 Wooll.
- 16 Lancaster.
- 19 Fines.
- 21 Union, &c. of Churches.
- 23 Wines.

Statutes of 1 E. 6.

- 1 Service and Sacraments.
- 2 Bishops.
- 5 Horses, &c.
- 6 Norwich, Wooll.
- 7 Discontinuance of Process.
- 8 Patents.
- 9 Union, &c. of Churches.
- 10 Exigent and Utlawry.
- 12 Challenge, Clergy, Dower, Felony, Treason.
- 14 Monasteries.

2, 3 E. 6.

- 1 Service and Sacraments.
- 2 Captains.
- 4 Sheriffs.
- 6 Fish, Fishers, &c.
- 8 Escheators.
- 10 Malt.
- 13 Tithes.
- 14 Cross-bows, &c.
- 15 Labourers, Victual.
- 19 Holy-days.
- 20 First-fruits.
- 21 Matrimony.
- 22 Customs, &c.
- 24 Trial.
- 25 County and Turn.
- 26 White-ashes.
- 27 Steel.
- 28 Fines.
- 30 Rye and Winchelsea.
- 31 Chester, &c.
- 33 Clergy.
- 34 Sheriffs.
- 37 Brass.

3, 4 E. 6.

The second T A B L E.

3, 4 E. 6.

- 1 Custos Rotulorum.
- 2 Drapery.
- 3 Approvements.
- 4 Grants.
- 8 Sewers.
- 10 Books.
- 13 Bishops.
- 19 Calves.
- 21 Butter.

5, 6 E. 6.

- 1 Service and Sacraments.
- 3 Holy-days.
- 4 Fighting and Quarrelling.
- 6 Drapery.
- 8 Drapery.
- 9 Clergy.
- 10 Clergy.
- 11 Treason.
- 12 Matrimony.
- 13 Ability.
- 14 Foresters, &c.
- 15 Cordwainers, &c.
- 16 Officers.
- 19 Exchange.
- 22 Gigmils.
- 23 Upbolsters.
- 24 Norwich.
- 25 Ale-houses.

7 E. 6.

- 1 Receivers.
- 3 Patents.
- 4 First-fruits.
- 5 Wines.
- 7 Fuel.
- 15 Durham.

Statute of 1 M. Sel. 1.

- 1 Felony, Treason.

1 M. Sel. 2.

- 3 Service and Sacraments.
- 4 Deeds and Writings.
- 5 Limitation.
- 7 Fines.
- 8 Sheriffs.

9 Physicians.

10 Courts.

14 Union, &c. of Churches.

1 M. Sel. 3.

1 Queen.

5 High-ways.

7 Drapery.

8 Cordwainers, &c.

11 Sewers.

1, 2 P. M.

4 Egyptians.

5 Victual, &c.

7 Towns.

8 Bishops.

10 Treason.

11 Treason.

12 Distress.

13 Mainprize.

14 Norwich.

15 Wales.

2, 3 P. M.

3 Calves.

7 Fairs and Markets.

8 High-ways.

9 Plays.

10 Mainprize.

11 Drapery.

12 Drapery.

13 Wooll.

15 Universities.

16 Passage.

18 Justices of Peace.

20 Lancaster.

4, 5 P. M.

1 Patents.

3 Musters.

4 Clergy.

5 Drapery.

7 Furors.

8 Women, &c.

Statutes of 1 Eliz.

1 Crown.

2 Service and Sacraments.

3 Crown.

4 First.

The second T A B L E.

- 4 First-fruits.
- 11 Merchants.
- 12 Linen cloth.
- 13 Ships.
- 15 Wood.
- 17 Fish, Fishers, &c.
- Not Printed, Leases.

5 Eliz.

- 1 Crown.
- 4 Labourers.
- 5 Ships.
- 7 Wears.
- 9 Perjury, Witness.
- 10 Felony.
- 11 Treason.
- 12 Corn, &c.
- 13 High-ways, &c.
- 14 Forger of false Deeds.
- 15 Prophecies.
- 17 Felony.
- 18 Keeper of the Great Seal.
- 20 Egyptians.
- 21 Fish, Fishers, &c.
- 22 Cordwainers, &c.
- 23 Excommunicato capiendo.
- 24 Prison, &c.
- 25 Furors.
- 26 Informers.
- 27 Durham.
- 28 Service and Sacraments.

8 Eliz.

- 1 Process.
- 3 Ships.
- 4 Clergy.
- 5 Admiralty.
- 6 Drapery.
- 7 Drapery.
- 8 Horses.
- 9 Coopers.
- 14 Bows.
- 11 Hats and Caps.
- 12 Drapery.
- 16 Sheriffs.

13 Eliz.

- 2 Crown.
- 4 Debt to the King.

- 5 Fraudulent Conveyances.

- 6 Grants.

- 7 Bankrupts.

- 8 Usury.

- 9 Sewers.

- 10 Dilapidations, Leases.

- 11 Ships.

- 12 Spiritual Laws.

- 13 Corn, &c.

- 14 Bows.

- 15 Ships.

- 17 Hospitals.

- 18 Lee River.

- 20 Leases.

- 21 Ipswich, Universities.

- 22 Sheriffs.

- 23 Paving.

- 25 Foresters, Poison, Wood.

14 Eliz.

- 3 Money.

- 7 Debt to the King.

- 8 Recoveries.

- 9 Furors.

- 10 Prison.

- 11 Dilapidations, Leases.

- 13 Felony, Hexamsire.

- Not Printed, Hospitals.

18 Eliz.

- 1 Treason.

- 2 Patents.

- 3 Bastardy.

- 5 Informers.

- 6 Leases.

- 7 Clergy.

- 8 Wales.

- 9 Cordwainers, &c.

- 10 High-ways.

- 11 Leases.

- 12 Nisi prius.

- 14 Feoffall.

- 15 Gold, Silver, &c.

- 17 Bridges.

- 19 Paving.

- 20 Bridges.

- 21 Towns.

- 25 Hospitals.

23 Eliz.

The Second TABLE

23 Eliz.

- 1 Crown.
- 3 Error.
- 5 Wood.
- 8 Wax.
- 9 Drapery.
- 10 Feasants and Patridges.
- 11 Bridges.
- 12 Paving.
- 13 Plumstead Marsh.

27 Eliz.

- 2 Crown.
- 3 Debt to the King.
- 4 Fraudulent Conveyances.
- 5 Demurrers.
- 6 Furors.
- 7 Sheriffs.
- 8 Error.
- 9 Wales.
- 12 Sheriffs.
- 13 Robberies.
- 17 Drapery.
- 18 Drapery.
- 19 Wood.
- 20 Havens and Rivers.
- 21 Havens and Rivers.
- 24 Banks.
- 25 Bridges.
- 27 Plumstead Marsh.
- Not Printed, Hospitals.

29 Eliz.

- 1 Treason.
- 4 Sheriffs.
- 5 Informers.
- 6 Crown.

31 Eliz.

- 1 Error.
- 2 Fines.
- 3 Exigent and Utawry.
- 4 Armour.
- 5 Actions Popular.
- 6 Election.
- 7 Cottages and Inmates.
- 8 Gaging.
- 9 Durham.
- 10 Informers.

11 Forcible Entry.

12 Fairs and Markets.

35 Eliz.

- 1 Crown.
- 2 Crown.
- 3 Patents.
- 7 Ships.
- 8 Cables.
- 9 Drapery.
- 10 Drapery.
- 11 Clapboard.

39 Eliz.

- 1 Vagabonds.
- 5 Hospitals, &c.
- 6 Hospitals, &c.
- 8 Bishops.
- 9 Clergy.
- 10 Ships.
- 11 Drapery.
- 13 Fustians.
- 14 Drapery.
- 15 Clergy.
- 16 Malt.
- 17 Vagabonds.
- 19 High-ways.
- 20 Drapery.
- 22 Norwich.
- 23 Bridges.
- 24 Bridges.
- 25 Robberies.

43 Eliz.

- 1 Patents.
- 2 Poor People.
- 3 Captains, &c.
- 4 Hospitals.
- 5 Corpus cum causa.
- 6 Damages and Costs, Sheriffs.
- 7 Trespas.
- 8 Executors.
- 9 Leases, Ships.
- 10 Drapery.
- 11 Approvements.
- 12 Merchants.
- 14 Fuel.
- 15 Chester, &c.
- 16 Bridges.

Sta-

The Second T A B L E.

Statutes of 1 Jac. 1.

- 1 Crown.
- 2 England and Scotland.
- 3 Bishops.
- 4 Crown.
- 5 Lect.
- 6 Labourers.
- 7 Vagabonds.
- 8 Clergy.
- 9 Ale-houses.
- 10 Justice and Right, &c.
- 11 Matrimony.
- 12 Conjurat[i]on, &c.
- 13 Execution.
- 14 Bankrupts.
- 15 Passage.
- 16 Hats and Caps.
- 17 Hops.
- 18 Spice.
- 19 Painters.
- 20 Brokers.
- 21 Cordwainers, &c.
- 22 Ships.
- 23 Drapery, Poor People.
- 24 Exchequer.
- 25 Feasants and Partridges.
- 26 Berwick.
- 27 Plague.

3 Jac. 1.

- 1 Service and Sacraments.
- 4 Crown.
- 5 Crown.
- 6 Merchants.
- 7 Attorney.
- 8 Execution.
- 9 Merchants.
- 10 Prison.
- 11 Malt.
- 12 Fish, Fishers, &c.
- 13 Hunters and Hunting.
- 14 Sewers.
- 15 Debt.
- 16 Drapery.
- 17 Drapery.
- 18 Havens and Rivers.
- 21 Players.
- 22 Paving.
- 23 Bridges.

24 Bridges.

4 Jac. 1.

- 1 England and Scotland.
- 2 Drapery.
- 3 Damages and Costs.
- 4 Ale-houses.
- 5 Ale-houses.
- 6 Cordwainers, &c.
- 8 Marshes and Fens.
- 9 Merchants.
- 10 Southampton.
- 11 Husbandry.
- 12 Havens and Rivers.
- 13 Marshes and Fens.

7 Jac. 1.

- 1 England and Scotland.
- 2 Crown.
- 3 Poor People.
- 4 Bastardy, Vagabonds.
- 5 Evidence.
- 6 Crown.
- 7 Drapery.
- 8 Calves.
- 9 Chelsey.
- 10 Ale-houses.
- 11 Feasants and Partridges.
- 12 Debt.
- 13 Hunters and Hunting.
- 14 Horners.
- 15 Debt to the King.
- 16 Husbandry.
- 18 Drapery.
- 20 Marshes and Fens.
- 21 Copyholders.

21 Jac. 1.

- 2 Limitation.
- 3 Monopolies.
- 4 Actions Popular.
- 5 Sheriffs.
- 6 Clergy.
- 7 Ale-houses.
- 8 Corpus cum causa, &c.
- 12 Evidence.
- 13 Jeoffail.
- 14 Intrusion.
- 15 Forcible

The second TABLE.

- 15 Forcible Entry.
- 16 Damages and Costs, Limitation, Trespass.
- 17 Usury.
- 18 Drapery.
- 19 Bankrupts.
- 20 Swearing and Cursing.
- 21 Victuals, &c.
- 22 Butter.
- 23 Corpus cum causa.
- 24 Execution.
- 25 Patents.
- 26 Felony.
- 27 Bastardy.
- 28 Horses, &c.
- 29 Patents.
- 32 Passages.
- 33 Pardons.

Statutes of 1 Car. 1.

- 1 Holy days.
- 2 Patents.
- 3 Alienation without Licence.
- 4 Ale-houses.

3 Car. 1.

- 1 Holy days.
- 2 Crown.
- 3 Ale-houses.
- 4 Bastardy, Corn, Poor People.

16, 17 Car. 1.

- 1 Parliament.
- 2 War.
- 3 War.
- 4 War.
- 5 War.
- 6 Days in Bank.
- 7 Parliament.
- 9 War.
- 10 Courts.
- 11 Crown.
- 13 War.
- 14 Taxes.
- 15 Courts.
- 16 Forests.
- 17 England and Scotland.
- 18 England and Scotland.
- 19 Clerk of the Market.
- 20 Knights.

- 21 Gun-powder.
- 24 Captives.
- 27 Ability.
- 30 Ireland.
- 33 Ireland.
- 34 Ireland.
- 35 Ireland.
- 37 Ireland.

Statutes of 12 Car. 2.

- 1 Parliament.
- 3 Discontinuance of Process, Process.
- 4 Customs, Merchandize.
- 11 Pardon.
- 12 Confirmation.
- 13 Usury.
- 14 Holy-days and Fasting-days.
- 16 Captains and Soldiers.
- 17 Ministers.
- 18 Ships and Shipping.
- 19 Customs.
- 22 Drapery.
- 23 Excize.
- 24 Tenures.
- 25 Wines.
- 30 Attainder, Holy days and Fasting-days.
- 32 Wooll.
- 33 Matrimony and Marriage.
- 34 Tobacco.
- 35 Post-Office.

13 Car. 2.

- 1 Treason, King, Parliament.
- 3 Accounts.
- 4 Taxes, &c.
- 5 Petition.
- 6 Militia.
- 9 Ships and Shipping.
- 10 Hunters and Hunting.
- 12 Crown.
- 13 Accounts.
- 15 Pains and Penalties.

13 Car. 2. Second Session.

- 1 Corporations.
- 2 Mainprize and Bail, Prison & Prisoners, Process, Execution, Damages

The second TABLE.

Damages and Costs.
4 Cornwall.

- 13 & 14 Car. 2.
- 1 Nonconformists.
 - 2 High-ways.
 - 3 Militia.
 - 4 Service and Sacraments.
 - 5 Workhede.
 - 6 High-ways.
 - 7 Cordwainers, Curriers and Tanners.
 - 9 Captains and Soldiers.
 - 10 Hearth-money.
 - 11 Customs.
 - 12 Poor People.
 - 13 Merchants and Merchandize.
 - 14 Accounts.
 - 15 Silk and Silk-throwing.
 - 16 Accounts.
 - 17 Collectors.
 - 18 Felony.
 - 19 Merchants & Merchandizes.
 - 20 Purveyors.
 - 21 Sheriffs.
 - 22 Robbery.
 - 23 Merchants & Merchandizes.
 - 24 Bankrupts.
 - 25 Rectories.
 - 26 Butter and Cheese.
 - 27 Havens.
 - 28 Fish and Fishers.
 - 29 Attainder.
 - 31 Money.
 - 32 Drapery.
 - 33 Books.

- 15 Car. 2.
- 1 High-ways.
 - 2 Wood.
 - 4 Militia.
 - 5 Vestry-men.
 - 6 Service and Sacraments.
 - 7 Trade.
 - 8 Butchers.
 - 11 Excise.
 - 12 Excise.
 - 13 Hearth-money.
 - 14 Post-Office, Wines.

- 15 Linen-Cloth.
- 16 Fish and Fishing.
- 17 Marshes and Fens.

- 16 Car. 2.
- 1 Parliament.
 - 2 Error.
 - 3 Hearth-money.
 - 4 Conventicles.
 - 5 Sea and Seamen.
 - 7 Plays and Games.

- 16 & 17 Car. 2.
- 2 Coals.
 - 3 Furors.
 - 4 Excise.
 - 5 Recognizance, &c.
 - 6 Accounts.
 - 8 Jooffail, Execution.
 - 9 Affidavits.
 - 10 High-ways.
 - 11 Marshes and Fens.
 - 12 Flatens, &c.

- 17 Car. 2.
- 2 Nonconformists.
 - 3 Union & severing of Churches.
 - 5 Attainder.
 - 6 Damage cleer.
 - 7 Avowry.
 - 8 Error, XIX.

- 18 Car. 2.
- 2 Calves and other Cattle.
 - 3 Robbery.
 - 4 Burials.
 - 5 Money.

- 19 Car. 2.
- 2 London.
 - 3 London.
 - 4 Prison and Prisoners.
 - 5 Avowry.
 - 6 Estates for Lives.
 - 7 Sea and Seamen.
 - 9 Accounts.
 - 11 Prize-ships.
 - 12 Eschequer.
 - 13 England and Scotland.

20 Car. 2.

The second TABLE.

20 Car. 2.

- 2 Collectors.
- 3 Wood.
- 4 Error.
- 5 Cordwainers and Curriers.
- 6 Silk-throwing.
- 7 Calves and other Cattle.
- 8 Marshes and Fens.

22 Car. 2.

- 1 Conventicles.
- 2 Havens, &c.
- 4 Excise.
- 5 Clergy.
- 6 Fee-farm Rents.
- 7 Cornwall.
- 8 Weights and Measures.
- 9 England and Scotland.
- 11 London.
- 12 High-ways.
- 13 Trade, Calves and other Cattle.

22 & 23 Car. 2.

- 1 Felony.
- 2 Recognizance, &c.
- 4 Treason, Execution.
- 6 Wine.
- 7 Felony.
- 8 Drapery.
- 9 Damages and Costs.
- 10 Administrators.
- 11 Ships and Shipping.
- 12 Weights and Measures.
- 13 Beer, Ale, and Mum.
- 14 London.
- 15 London.
- 16 Poor People.
- 17 London.
- 18 Poor People.
- 19 Calves, &c.
- 20 Prison and Prisoners.
- 21 Accounts.
- 22 Fines, Amerciaments, &c.
- 23 Sea and Seamen.
- 24 Fee-farm Rents.
- 25 Hunters and Hunting.
- 26 Tobacco.

25 Car. 2.

- 2 Crown.
- 3 Cornwall.
- 5 Pardon.
- 6 Aliens.
- 7 Trade.
- 8 Money.
- 9 Durham.

27 Car. 2.

- 1 Northampton.

29 Car. 2.

- 3 Frauds, &c.
- 4 Southwark.
- 5 Affidavit.
- 6 Aliens.
- 7 Holy-days and Fasting-days.
- 8 Parson, Parsonage and Vicarage.
- 9 Hereticks.

29 & 30 Car. 2.

- 1 Captains and Soldiers.
- 2 Robbery.

30 Car. 2.

- 3 Burials.
- 4 Prison and Prisoners.
- 5 High-ways.
- 6 Administrators, Error.
- 7 Executors.
- 8 Newcastle.
- 9 Severn.
- Parliament.

31 Car. 2.

- 1 Taxes, &c.
- 2 Habeas Corpus.
- 3 Fines.

Statutes of 1 Jac. 2.

- 1 Customs, Excise.
- 3 Customs.
- 4 Customs.
- 5 Customs.
- 7 Money.

8 Armour,

The second TABLE.

- 8 Armour, Arms.
- 9 Cornwall.
- 10 Purveyors.
- 11 Purveyors.
- 12 Post-Office, Wines.
- 13 Cordwainers.
- 14 Robberies.
- 15 London.
- 16 Yarmouth.

- 17 Poor People, Sheriffs, Ad-
ministrators, Error, En-
chequer, Calves, &c, Fines,
Amerciements, Sea and Sea-
men, Tobacco, Executors,
Books.
- 18 Ships.
- 19 Trade.
- 20 Marshes, Fens, &c.

1 Northampton.
2
3 Founds, &c.
4 Southwark.
5 Affluents.
6
7 Holy-days and Fasting-days.
8 Fairs, Fairs, and Fairs.

1 Cornwall.
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1 Captains and Soldiers.
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